United Nations

Report of the Committee on the Rights of the Child

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Official Records • Forty-ninth Session
Supplement No. 41 (A/49/41)

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I. CONCLUSIONS AND RECOMMENDATIONS ADOPTED BY THE COMMITTEE ON THE RIGHTS OF THE CHILD AT ITS SECOND TO FIFTH SESSIONS

A. Organization of work

1. Fourth session, recommendation 1

The Committee on the Rights of the Child,

Recalling the rapid entry into force of the Convention on the Rights of the Child [1] and the historic number of States parties, which demonstrate a widespread commitment to the promotion and protection of the rights of the child,

Aware of the high expectations for effectiveness in the functioning of the Committee, which constitutes an essential mechanism for the implementation of the provisions of the Convention,

Concerned about the workload of the Committee and the risk of building up an undesirable backlog in the consideration of State party reports,

Noting the concern expressed by the Commission on Human Rights at the increasingly heavy workload of the Committee and the resulting difficulties faced by it in the fulfilment of its functions,

Recalling the recommendation made by the World Conference on Human Rights that the Committee, with the assistance of the Centre for Human Rights, be enabled expeditiously and effectively to meet its mandate, especially in view of the unprecedented extent of ratification and subsequent submission of State party reports,

Recognizing the need to adopt urgent and adequate solutions to deal with this situation in order not to dash the expectations the Convention has created,

1. Decides, in accordance with rule 3 of its provisional rules of procedure, to convene a special session of the Committee in 1994;

2. Also decides that the special session should be preceded by a meeting of its established working group to conduct a preliminary review of reports submitted under article 44 of the Convention and to consider questions relating to technical assistance and international cooperation pursuant to article 45 of the Convention;

3. Further decides to fix the dates of the special session and the pre-sessional working group in consultation with the Secretary-General, taking into account the calendar of conferences as approved by the General Assembly.

1/ General Assembly resolution 44/25, annex.

2. Fifth session, recommendation 2

The Committee on the Rights of the Child,

Noting the previous conclusions and recommendations it has adopted in order to ensure effectiveness in its work and prevent the building up of an undesirable backlog in the consideration of State party reports,

Stressing the need to adopt urgent and adequate solutions to meet the high expectations created by the Convention on the Rights of the Child 1/ and its system of implementation,

Recalling in particular the decision adopted at its fourth session to convene a special session of the Committee in 1994, in accordance with rule 3 of its rules of procedure,

Noting that, pursuant to article 44, paragraph 5, of the Convention, and in accordance with rule 64 of its rules of procedure, the Committee will submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities,

Recalling that the biennial report of the Committee will only be examined during the forty-ninth session of the General Assembly, to take place at the end of 1994,

Reaffirms the decisive importance and urgency of holding such a special session in 1994, preceded by a pre-sessional working group meeting, as an essential measure in facing its workload in an effective and expeditious manner, in the light of the recommendations of the World Conference on Human Rights.

3. Fifth session, recommendation 1

The Committee on the Rights of the Child,

Recalling that the Convention on the Rights of the Child 1/ has become, within an exceptionally short period, the international human rights instrument with the largest number of ratifications, demonstrating the international community's special commitment to the promotion and protection of the rights of children,

Concerned about the workload of the Committee and the risk of building up an undesirable backlog in the consideration of State party reports submitted pursuant to article 44 of the Convention,

Recalling that the Commission on Human Rights has also expressed concern at the increasingly heavy workload of the Committee and the resulting difficulties faced by it in the fulfilment of its functions,

Recalling also the recommendation made by the World Conference on Human Rights that the Committee, with the assistance of the Centre for Human Rights, be enabled expeditiously and effectively to meet its mandate, especially in view of the unprecedented extent of ratifications and subsequent submission of country reports, Convinced that having an adequate amount of time for the meetings of the Committee is a vital factor in ensuring the continued effectiveness of the Committee in future years,

1. Requests the Secretary-General to convene a Meeting of the States Parties to the Convention on the Rights of the Child, in advance of or during the course of the forty-ninth session of the General Assembly, with a view to reviewing, pursuant to paragraph 10 of article 43 of the Convention. the duration of the meetings of the Committee;

2. Requests, in accordance with the above-mentioned provision of the Convention, the States parties to determine that the number of annual sessions of the Committee as from 1995, as well as the number of sessions of the working group established to conduct a preliminary review of State party reports and to consider questions relating to technical assistance and international cooperation, should be increased to three;

3. Requests the General Assembly at its forty-ninth session to approve any such determination that may be adopted by the States parties;

4. Decides to fix the dates of such a third regular session and of its pre-sessional working group in consultation with the Secretary-General, taking into account the calendar of conferences as approved by the General Assembly.

B. Strengthening the support to the Committee

Fourth session, recommendation 2

The Committee on the Rights of the Child,

Having considered its workload in view of the unprecedented number of State party reports expected to be submitted under article 44 of the Convention on the Rights of the Child, 1/

Having reviewed its general working conditions, and recalling the importance of dealing with State party reports without delay in order not to dash the expectations created around the rights of the child,

Recognizing the importance of paying due attention to the field of technical assistance and international cooperation pursuant to article 45 of the Convention,

Encouraged by the recommendation of the World Conference on Human Rights that the Committee, with the assistance of the Centre for Human Rights, be enabled expeditiously and effectively to meet its mandate,

Convinced of the need to adopt urgent measures for the servicing of the Committee,

Requests the Secretary-General to strengthen the support to the Committee and to provide it with a minimum of two additional Professional and one additional General Service posts.

C. Informal regional meetings

1. Second session, recommendation 1

The Committee on the Rights of the Child,

Reaffirming the usefulness of organizing meetings in different regions of the world in order to enhance implementation of the Convention on the Rights of the Child, 1/

Encouraged by the successful results of the first informal regional meeting of the Committee, held in the Latin American and Caribbean region, at Quito, in June 1992,

Recognizing the important role informal regional meetings can play in promoting greater awareness of the principles and provisions of the Convention on the Rights of the Child and of the work of the Committee, as well as in enabling the members of the Committee to acquire a deeper knowledge and better understanding of the realities in a region,

Convinced of the relevance of these meetings for enhancing meaningfully international cooperation and joint efforts between United Nations bodies, specialized agencies and other competent bodies active in the field of the implementation of the Convention on the Rights of the Child,

Welcoming the decision of the United Nations Children's Fund to facilitate the Quito meeting, in close cooperation with other United Nations bodies, and the efforts made in order to ensure its success,

Stressing the importance of the participation in such regional meetings of non-governmental organizations active in the field of the rights of the child,

1. Welcomes the opportunity given to the Committee to hold the first informal regional meeting at Quito;

2. Expresses its thanks to the Government of Ecuador for the warm welcome it extended at the opening of the informal regional meeting of the Committee;

3. Recognizes the important contribution of such meetings to the wider promotion of the rights of the child;

4. Welcomes the possibility of holding other informal regional meetings, whenever possible on an annual basis.

2. Fourth session, recommendation 3

The Committee on the Rights of the Child,

Reaffirming that informal regional meetings can play an important role in promoting greater awareness of the Convention on the Rights of the Child 1/ and of the work of the Committee, as well as in enabling the members of the Committee to acquire a deeper knowledge and better understanding of the realities in a given region,

Convinced of the relevance of these meetings for enhancing meaningfully international cooperation and joint efforts between United Nations bodies, specialized agencies and other competent bodies active in the field of the rights of the child,

Stressing the importance of the participation in such meetings of non-governmental organizations active in the field of the rights of the child,

Welcoming the decision of the United Nations Children's Fund to facilitate the meetings held at Quito in 1992 and Bangkok in 1993, in close cooperation with other United Nations bodies, and the efforts made to ensure their success,

1. Emphasizes the decisive role of informal regional meetings in contributing to a wider promotion of the rights of the child;

2. Recognizes the importance of such meetings for achieving universal ratification of the Convention on the Rights of the Child, as well as its effective implementation, as recommended by the World Conference on Human Rights;

3. Welcomes the possibility of holding other informal regional meetings, whenever possible on an annual basis.

D. Sources of information

Second session, recommendation 2

The Committee on the Rights of the Child,

Recalling that, as recognized by the third meeting of the persons chairing the human rights treaty bodies, "each of the treaty bodies should have access to all of the sources of information that it feels it needs in order to be effective", 2/

Bearing in mind the importance of the information that can be provided to the Committee by the United Nations bodies, specialized agencies and other competent bodies, in view of their experience and knowledge in the field of the rights of the child,

Reaffirming that access by the Committee to all relevant sources of information pertaining to its functions will be essential to ensure effective performance of its activities,

1. Reiterates the request addressed to the Secretary-General to establish a committee resource room for the purpose of gathering and facilitating access to the various sources of information that are indispensable for the effective functioning of the Committee;

2. Requests the secretariat to report at the beginning of each session on the action taken pursuant to decisions adopted by the Committee at its previous sessions;

3. Also requests the secretariat to continue to organize country files and to prepare an analytical study of available information concerning each State party whose report is to be considered by the Committee, in the light of the adopted reporting guidelines;

2/ See A/45/636, annex.

4. Encourages United Nations bodies, specialized agencies and other competent bodies, in order to foster the effective implementation of the Convention on the Rights of the Child, 1/ to provide the Committee with relevant information concerning each State party whose report is scheduled to be considered by the Committee;

5. Expresses concern at the difficulties faced and the delay taken in expediting the implementation of the recommendations of the task force on computerization appointed by the Secretary-General with a view to increasing the efficiency and effectiveness of the functioning of the treaty bodies;

6. Recognizes the high priority of the computerization of the work of the treaty-monitoring bodies and its importance to improving the reporting system, and encourages the next meeting of persons chairing the human rights treaty bodies to give particular consideration to this reality and to envisage the adoption of adequate and urgent recommendations;

7. Decides to establish a working group among its members to consider the question of the system of information and documentation relevant to its work, including the question of computerization, in cooperation with the Centre for Human Rights, United Nations bodies and other competent bodies.

E. Public information activities

1. Second session, recommendation 3

The Committee on the Rights of the Child,

Recognizing the importance of disseminating information on the Convention on the Rights of the Child 1/ and its implementation with a view to creating greater awareness and a deeper understanding of its principles and provisions and to promote the full realization of children's rights,

1. Welcomes the publication of an issue of the Bulletin of Human Rights on "The Rights of the Child";

2. Requests the Secretary-General to provide for and to facilitate and encourage the dissemination of information concerning the Convention and the work of the Committee, in particular:

(a) To consider the translation of the Convention into additional languages, *inter alia*, by issuing Fact Sheet No. 10, "The Rights of the Child", in additional languages;

(b) To consider the inclusion in the *Manual on Human Rights Reporting* of a chapter concerning the mechanism established within the framework of the Convention on the Rights of the Child;

(c) To ensure priority to the completion and issuance of the *travaux préparatoires* and the commentary on the Convention on the Rights of the Child;

(d) To consider, within the framework of the preparation and dissemination of printed information in the field of human rights, the issuance of a special publication designed to make the principles and provisions of the Convention widely known to children;

3. Also requests the Secretary-General to ensure that the United Nations information centres or, in the countries where such information centres do not exist, the United Nations Development Programme country offices make freely available on a routine basis the documents of the Committee for general distribution, particularly the reports of the Committee, the reports submitted to the Committee by the State in whose territory the information centre is located and the summary records relating to the examination of the reports;

4. Further requests the Secretary-General to strengthen, in the framework of the programme of advisory services and technical assistance of the Centre for Human Rights, the training activities related to the implementation of the Convention, as well as the organization of seminars and workshops at the national and local levels for the purpose of training those involved in the preparation of State party reports in accordance with the adopted reporting guidelines;

5. Encourages the Secretary-General to consider, within the programme of advisory services and technical assistance, providing training and assistance to the national institutions acting in the field of the rights of the child;

6. Also encourages the Secretary-General to consider the implementation of the Convention on the Rights of the Child as a priority matter within the fellowship programme;

7. Invites States parties to pay particular attention to the need for translating and publishing the Convention in the various local languages and to ensure that the principles and provisions thereof are made widely known, by appropriate and active means, to adults and children alike.

2. Third session, recommendation 2

Dissemination of information

The Committee on the Rights of the Child,

Recognizing the importance of disseminating information on the Convention on the Rights of the Child 1/ and on its implementation system with a view to creating greater awareness and to promoting the realization of the rights of the child,

Reaffirming the importance of ensuring that the United Nations information centres or, in the countries where such information centres do not exist, the United Nations Development Programme country offices make freely available on a routine basis the documents of the Committee for general distribution,

1. Requests the Secretary-General to ensure that particular consideration is given to the availability of the reports of the Committee, the reports submitted to the Committee by the State in whose territory the information centre is located, as well as the summary records relating to the examination of the reports and the concluding observations adopted thereon by the Committee;

2. Recommends that, in order to ensure easier access to these documents and to assist States parties in their endeavour to ensure that their reports are made widely available to the public in their own country, in the light of article 44, paragraph 6, of the Convention, serious consideration be given to the issuing of a compilation containing the State party report, the summary

records relevant to its consideration and the concluding observations adopted thereon by the Committee.

F. Documentation unit on the rights of the child

Third session, recommendation 4

The Committee on the Rights of the Child,

Reaffirming the importance of ensuring its access to all relevant sources of information pertaining to its functions,

Recognizing the need to ensure effective cooperation and constructive dialogue with United Nations bodies active in the field of the rights of the child, in particular the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography and the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities,

Recalling the recommendation made by the fourth meeting of persons chairing the human rights treaty bodies that a centralized information and documentation unit be created within the Centre for Human Rights,

Recommends that consideration be given to the establishment, within the Centre for Human Rights, of a documentation unit on the rights of the child, entrusted with the task of following and assisting the activities developed by the Committee on the Rights of the Child, the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography and the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities.

G. Relations with other United Nations organs and treaty bodies

1. Second session, recommendation 4

The Committee on the Rights of the Child,

Recognizing the importance of ensuring effective interaction and cooperation with United Nations bodies acting in the field of the rights of the child, including the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography and the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities,

Recognizing also the need to maintain effective communication and dialogue with the other human rights bodies on common issues and problems,

Considering the need and importance of ensuring its participation in activities taking place within the framework of the United Nations that are of relevance to its work,

Encouraged by Commission on Human Rights resolution 1992/15 of 21 February 1992 in which the Commission stressed the continuing need for consultation and exchange of information between all treaty bodies,

1. *Welcomes* the possibility of holding future meetings with the United Nations bodies acting in the field of the rights of the child, including each of the treaty bodies, with a view to discussing matters of common interest;

2. *Decides* to follow, as appropriate, the meetings and activities of other human rights treaty bodies, as well as other United Nations meetings relevant to its work;

3. *Welcomes* the holding of the meetings of persons chairing the human rights treaty bodies on a biennial basis;

4. *Welcomes* the opportunity to participate in the seminar of experts on appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights, to be held in December 1992;

5. *Welcomes* the opportunity to participate in the meeting of experts on the application of international standards concerning the human rights of detained juveniles to be organized at Geneva in March 1993, following a proposal by the Secretary-General endorsed by the Subcommission on Prevention of Discrimination and Protection of Minorities in its resolution 1992/25 of 27 August 1992, in which the Subcommission also expressed the wish that the Committee on the Rights of the Child be represented at the meeting of experts;

6. *Expresses* the hope that adequate resources will be provided to enable the Committee to develop effective communication and dialogue with other human rights bodies and to participate in United Nations meetings relevant to its work;

7. *Invites* special rapporteurs of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities and working groups established by the Commission and the Subcommission to take the Convention on the Rights of the Child into consideration within the framework of their respective mandates;

8. *Welcomes* the opportunity provided by its second session for starting a constructive and meaningful dialogue with the Special Rapporteur on the sale of children, child prostitution and child pornography, and on questions of common concern, namely, the question of child soldiers, and expresses its willingness to pursue this dialogue at its future sessions.

2. *Third session, recommendation 3*

The Committee on the Rights of the Child,

Recognizing the importance of ensuring effective interaction and cooperation with United Nations bodies active in the field of the rights of the child,

Recognizing also the need to maintain effective communication and meaningful dialogue with the other human rights bodies on issues of common interest,

Considering the need for and the importance of ensuring its active participation in activities taking place within the framework of the United Nations that are of relevance to its work, Recalling the emphasis put by the fourth meeting of persons chairing the human rights treaty bodies on the promotion of interaction among treaty bodies,

Reaffirming the decisions and recommendations adopted at its previous sessions,

1. Stresses the need for providing the Committee with adequate resources to enable it to develop effective communication and dialogue with other human rights bodies and to participate in United Nations meetings relevant to its work;

2. Reaffirms its interest and willingness to participate in the proposed meeting of experts on the application of international standards concerning the human rights of detained juveniles, and recalls the important framework established by the Convention on the Rights of the Child 1/ in this field;

3. Decides to follow closely the preparatory process of the International Year of the Family and, within that framework, to strengthen its cooperation with the Centre for Social Development and Humanitarian Affairs, in particular with a view to being associated with that event and having access to the relevant documents and studies;

4. Requests the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia to take the Convention on the Rights of the Child into full consideration in the fulfilment of his mandate and in his future reports.

3. Fourth session, recommendation 4

The Committee on the Rights of the Child,

Reaffirming the importance of ensuring effective interaction and cooperation with United Nations bodies acting in the field of the rights of the child,

Recognizing the need to maintain effective dialogue and communication with other human rights bodies on common issues and problems,

Recalling the recommendation of the World Conference on Human Rights that matters relating to human rights and the situation of children be regularly reviewed and monitored by all relevant organs and mechanisms of the United Nations system, 3/

1. Reaffirms the need to provide the Committee with adequate resources to enable it to develop effective communication and dialogue with other human rights bodies and to participate in United Nations meetings relevant to its work;

2. Requests the secretariat to transmit its reports to the special rapporteurs and working groups established by the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities;

3/ Vienna Declaration and Programme of Action, Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III, sect. II, para. 51.

3. Invites such special rapporteurs and working groups to take the Convention on the Rights of the Child into consideration within the framework of their respective mandates;

4. Requests the secretariat to transmit the reports of the Committee to United Nations bodies whose activities are relevant to the implementation of the Convention on the Rights of the Child, including the international financial institutions;

5. Decides to follow closely the developments related to the International Year of the Family, the International Conference on Population and Development and the World Summit for Social Development;

6. Recognizes the importance of being associated with the preparatory process for the Fourth World Conference on Women: Action for Equality, Development and Peace, to take place in Beijing in 1995, and in this framework decides to devote one of its future meetings to the consideration of its contribution to this event.

4. Fifth session, recommendation 3

The Committee on the Rights of the Child,

Reaffirming the importance of ensuring effective interaction and cooperation with United Nations bodies acting in the field of the rights of the child,

Recognizing the need to maintain an effective dialogue with other human rights bodies on common issues and problems,

Recalling the Vienna statement adopted by the international human rights treaty bodies, 4/ which stressed the need to accord high priority to efforts designed to promote greater coordination among the various international treaty bodies,

Recalling also the recommendation adopted by the World Conference on Human Rights that matters relating to human rights and the situation of children be regularly reviewed and monitored by all relevant organs and mechanisms of the United Nations system, 3/

Reaffirming the need to provide the Committee with adequate resources to enable it to develop effective communication and dialogue with other human rights bodies and to participate effectively in United Nations meetings relevant to its work,

1. Decides to be represented at, and to that end to follow closely, the preparatory process of the World Summit for Social Development, to take place in Denmark in March 1995, as well as of the Fourth World Conference on Women: Action for Equality, Development and Peace, to take place in Beijing in 1995;

2. Also decides to be represented by two of its members at the International Conference on Population and Development, to be held at Cairo in September 1994;

4/ A/CONF.157/TBB/4.

3. Reaffirms the fundamental importance it attaches to its participation in the meeting of experts on the application of international standards concerning the human rights of detained juveniles, to be organized at Geneva in 1994, in the light of resolution 1993/80 of 10 March 1993 adopted by the Commission on Human Rights, and recalls in this regard the recommendations formulated by the Committee in the framework of the consideration of State party reports;

4. Decides to follow closely the general discussions to be held by the Committee on Economic, Social and Cultural Rights in 1994 on the role of social safety nets as a means of protecting economic, social and cultural rights, with particular reference to situations involving major structural adjustment and/or transition to a free market economy and on human rights education and public information, and stresses the significant attention it has given to these areas, notably in the framework of its dialogue with States parties.

H. Meeting of persons chairing the human rights treaty bodies

Second session, recommendation 5

The Committee on the Rights of the Child,

Recognizing the importance of contributing to the fourth meeting of persons chairing the human rights treaty bodies,

Bearing in mind its proceedings and decisions on issues of relevance to the agenda of such a meeting,

Decides to bring the following important issues to the attention of the fourth meeting of persons chairing the human rights treaty bodies:

A

The innovative experience of holding informal meetings at the regional level should be brought to the attention of the fourth meeting, in view of its relevance as a means of promoting greater awareness of the Convention on the Rights of the Child 1/ and its system of implementation and to provide the Committee with a deeper knowledge and better understanding of the realities of a region;

B

Access to all relevant sources of information pertaining to the functions of the Committee on the Rights of the Child is essential. In this framework the Committee, recognizing the high priority of computerization of the work of the treaty-monitoring bodies, encourages the fourth meeting of persons chairing the human rights treaty bodies to give particular consideration to this reality and to envisage the adoption of adequate and urgent recommendations. The Committee also decides to establish a working group from among its members to consider the question of the system of information and documentation relevant to its work, including the question of computerization, in cooperation with the Centre for Human Rights, United Nations bodies and other competent bodies;

C

In view of the importance of disseminating information on the Convention on the Rights of the Child 1/ and its monitoring mechanism in order to enhance implementation of the Convention, the Committee on the Rights of the Child:

(a) Requests the Secretary-General to make documents of the Committee classified in the general distribution category freely available, on a routine basis, in the United Nations information centres or, in the countries where such centres do not exist, in the country offices of the United Nations Development Programme;

(b) Encourages the Secretary-General to consider providing training and assistance to the national institutions acting in the field of the rights of the child, within the programme of advisory services and technical assistance;

D

In connection with the issue of reservations and declarations, the Committee deems it important to recall that the Convention on the Rights of the Child 1/ has introduced a holistic approach to the rights of the child, all rights being interrelated and inherent to the dignity of the child;

E

The Committee recognizes the relevance of handling the question of reservations and declarations in the course of the dialogue to be established with States parties when considering their periodic reports.

I. World Conference on Human Rights: recommendation to the Preparatory Committee for the World Conference on Human Rights

The Committee on the Rights of the Child,

Recalling its previous recommendations addressed to the Preparatory Committee for the World Conference on Human Rights,

Considering that the General Assembly at its forty-seventh session adopted the provisional agenda for the World Conference on Human Rights,

Noting the inclusion in the provisional agenda of an item entitled "Consideration of contemporary trends in and new challenges to the full realization of all human rights of women and men, including those of persons belonging to vulnerable groups",

Recognizing the importance of considering in this framework the question of the enjoyment of the rights of the child in a period of armed conflict,

1. Designates its Chairperson and its Rapporteur as its representatives to the fourth session of the Preparatory Committee for the World Conference;

2. Decides to recommend to the Preparatory Committee to address at its fourth session the issue of the involvement of children in armed conflicts.

J. Children in armed conflicts: recommendation to the General Assembly

1. Third session, recommendation 1

The Committee on the Rights of the Child,

Recalling that in accordance with the provisions of article 45 (c) of the Convention on the Rights of the Child, 1/ the Committee may recommend to the General Assembly to request the Secretary-General to undertake, on its behalf, studies on specific issues relating to the rights of the child,

Recalling also that at its second session the Committee devoted one day to a general discussion on the topic "Children in armed conflicts", having discussed the relevance and adequacy of existing standards applicable in the framework of children in armed conflicts, the measures to ensure effective protection to children in situations of armed conflicts and the promotion of physical and psychological recovery and social reintegration,

Having concluded that in order to focus greater attention on the serious problem of children in armed conflicts, a major study should be undertaken by the United Nations,

1. Recommends to the General Assembly, in accordance with article 45 (c) of the Convention on the Rights of the Child, 1/ that it request the Secretary-General to undertake a study on ways and means of improving the protection of children from the adverse effects of armed conflicts, for the purpose of which the Secretary-General might wish to invite the cooperation of relevant specialized agencies, other United Nations organs, non-governmental organizations and the International Committee of the Red Cross;

2. Requests the Secretary-General to bring the present recommendation to the attention of the General Assembly for consideration at its forty-eighth session.

2. Fourth session, recommendation 5

The Committee on the Rights of the Child,

Recalling its general discussion on the topic "Children in armed conflicts" and the recommendations adopted thereon,

Having considered the serious attention paid by the Commission on Human Rights to this question and the important resolutions adopted by the Commission in this field,

Encouraged by the support expressed by the World Conference on Human Rights to the Committee's proposal that the Secretary-General initiate a study of means of improving the protection of children in armed conflicts,

Taking note of the request addressed to it by the World Conference on Human Rights to study the question of raising the minimum age of recruitment into armed forces, Requests the Secretary-General to transmit to the Commission on Human Rights at its fiftieth session the preliminary draft optional protocol that the Committee had prepared on this issue at its third session. 5/

5/ CRC/C/16, annex VII.

II. ORGANIZATIONAL AND OTHER MATTERS

A. States parties to the Convention

1. As at 28 January 1994, the closing date of the fifth session of the Committee on the Rights of the Child, there were 154 States parties to the Convention on the Rights of the Child. The Convention was adopted by the General Assembly in resolution 44/25 of 20 November 1989 and opened for signature and ratification or accession in New York on 26 January 1990. It entered into force on 2 September 1990, in accordance with the provisions of its article 49. A list of States that have signed, ratified or acceded to the Convention is contained in annex I to the present report.

2. The texts of the declarations, reservations or objections made by States parties with respect to the Convention are reproduced in document CRC/C/2/Rev.2.

B. Sessions and agenda

3. The Committee on the Rights of the Child has held four sessions since the adoption of its first biennial report. The second, third, fourth and fifth sessions of the Committee were held at the United Nations Office at Geneva from 28 September to 9 October 1992, from 11 to 29 January 1993, from 20 September to 8 October 1993 and from 10 to 28 January 1994, respectively.

4. At its second session, the Committee held 19 meetings (28th to 46th); at both its third and fourth sessions, it held 27 meetings (47th to 74th and 75th to 104th); at its fifth session, it held 26 meetings (105th to 130th). The reports of the Committee on its second, third, fourth and fifth sessions are contained in documents CRC/C/10, CRC/C/16, CRC/C/20 and CRC/C/24 respectively. An account of the deliberations of the Committee at its second, third, fourth and fifth sessions is contained in the relevant summary records (CRC/C/SR.28-130). The agendas of the sessions are shown in annex II to the present report.

C. Membership and attendance

5. By letter dated 1 October 1991, Mrs. Maria Fátima Borges de Omena informed the Committee of her decision to cease to function as a member of the Committee, in accordance with article 43, paragraph 7, of the Convention and rule 14 of the Committee's provisional rules of procedure. The letter of resignation was transmitted to the Secretary-General by the Permanent Representative of Brazil to the United Nations under cover of a note dated 17 December 1991. By a noted dated 4 March 1992, the Secretary-General invited the Government of Brazil to appoint another expert from among its nationals to serve for the remainder of Mrs. Borges de Omena's term. Pursuant to the provisions of article 43, paragraph 7, of the Convention, the Government of Brazil, by note verbale dated 30 April 1992, informed the Secretary-General of the appointment of Mr. Antonio Carlos Gomes da Costa as a member of the Committee on the Rights of the Child for the remainder of the said term. At its 28th meeting, held on 28 September 1992, the Committee, in accordance with rule 14 of its provisional rules of procedure, approved the appointment of Mr. Gomes da Costa by secret ballot.

6. In accordance with article 43 of the Convention, the Third Meeting of the States Parties to the Convention was convened on 23 February 1993 at United Nations Headquarters. The following five members of the Committee were elected for a term of four years beginning on 28 February 1993: Mrs. Hoda Badran, Mrs. Flora Corpuz Eufemio, Mr. Swithun Tachiona Mombershora, Mrs. Marta Santos Pais and Mrs. Marilia Sardenberg Zelner Gonçalves. The list of the members of the Committee, together with an indication of the duration of their term of office, appears in annex III to the present report.

7. All the members attended the second session of the Committee. The third session was attended by all the members except Mrs. Akila Belembaogo. All the members attended the fourth and fifth sessions of the Committee.

D. Election of officers

8. The officers elected by the Committee at its first session continued to hold office at the second and third sessions. They were Mrs. Hoda Badran (Egypt), Chairperson; Mr. Luis A. Bambaran Gastelumendi (Peru), Mrs. Flora C. Eufemio (Philippines) and Mr. Youri Kolosov (Russian Federation), Vice-Chairpersons; and Mrs. Marta Santos Pais (Portugal), Rapporteur.

9. At its 75th meeting, held on 20 September 1993, the Committee elected the following officers for a term of two years in accordance with rule 16 of its provisional rules of procedure:

Chairperson:	Mrs. Hoda Badran
Vice-Chairpersons:	Mrs. Akila Belembaogo Mr. Thomas Hammarberg Ms. Sandra Prunella Mason
Rapporteur:	Mrs. Marta Santos Pais

E. Organization of the work of the Committee

10. The Committee gave consideration, at its different sessions held during the reporting period, to the possible ways of organizing its future work. At the second session, the necessity of adopting adequate measures to enable the Committee to deal with its heavy workload was stressed. Members of the Committee expressed the hope that this would receive due consideration during the Second Meeting of the States Parties to the Convention, scheduled to be held on 11 November 1992, in order to determine the duration of the future sessions of the Committee. At its third session, the Committee welcomed the adoption by the General Assembly of a resolution approving the organization of two sessions per year, each of up to three weeks' duration, and the establishment of a pre-sessional working group, while at the same time expressing concern that in view of the number of States parties to the Convention and the number of reports to be submitted under article 44 of the Convention, further measures would soon be needed (see CRC/C/16, annex VIII). At its fourth session, the Committee, recognizing the need to adopt urgent and adequate solutions to deal with the situation, decided to convene a special session of the Committee in 1994, preceded by a meeting of the working group (see chap. I, fourth session, recommendation 1). At its fifth session, the Committee decided to request the General Assembly to authorize the Secretary-General to schedule three regular sessions annually as from 1995 (see chap. I, fifth session, recommendation 1).

F. Pre-sessional working group

11. At its second session, the Committee agreed that State party reports would be reviewed primarily in a pre-sessional working group, to be held approximately two months to six weeks prior to the convening of each session, where the main questions that would need to be discussed further with representatives of the reporting States would be identified.

12. A pre-sessional working group of the whole met at Geneva from 14 to 18 December 1993 to consider lists of issues concerning initial reports scheduled for consideration at the Committee's third session. The pre-sessional working group of the fourth session was composed of Mr. Kolosov, Ms. Mason, Mr. Hammarberg and Mr. Mombeshora; it met at the United Nations Office at Geneva from 28 June to 2 July 1993 and elected Mr. Kolosov as its Chairman. The pre-sessional working group of the fifth session met at the United Nations Office at Geneva from 15 to 19 November 1993; all members except Mrs. Sardenberg Zelner Gonçalves attended the working group.

13. The lists of issues drawn up and finalized during the working sessions were transmitted directly to the permanent missions of the States concerned with a note that stated, inter alia, the following:

> "The list is not intended to be exhaustive and it should not be interpreted as limiting or in any other way prejudging the type and range of questions which members of the Committee might wish to pose. However, the working group believes that the constructive dialogue which the Committee wishes to have with the representatives of the reporting States can be facilitated by making the list and written answers to it available in advance of the Committee's session."

14. At the pre-sessional working group to the fifth session, held in November 1993, the Committee decided that it should establish, whenever possible, informal contacts with permanent missions of the States whose reports were scheduled for consideration at the forthcoming sessions in order to inform them of the procedure followed by the Committee for the consideration of reports and clarify the purposes of the dialogue it intends to conduct with the representatives of the States parties.

G. Adoption of the report

15. At its 130th meeting, held on 28 January 1994, the Committee considered the draft of its second biennial report, covering its activities at the second, third, fourth and fifth sessions, held in 1992, 1993 and 1994. The report was adopted unanimously by the Committee.

III. REPORTS BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

A. Submission of reports

16. States parties have undertaken to submit reports in accordance with article 44 of the Convention on the Rights of the Child within two years of the entry into force of the Convention for the States parties concerned and thereafter every five years. In order to assist States parties in submitting the reports required under article 44, paragraph 1 (a) of the Convention, the Committee on the Rights of the Child, at its first session, adopted general guidelines regarding the form and contents of initial reports.

17. At each of its sessions during the reporting period, the Committee was informed of and considered the status of the submission of reports. The status of submission of reports by States parties under article 44 of the Convention as at 28 January 1994, the closing date of the fifth session of the Committee, appears in annex IV to the present report.

18. The action taken, information received and relevant issues placed before the Committee during the reporting period (second to fifth sessions) are summarized in paragraphs 19 to 26 below.

Second session

19. In connection with this item, the Committee had before it the following documents: note by the Secretary-General on initial reports by States parties due in 1992 (CRC/C/3); and note by the Secretary-General on initial reports by States parties due in 1993 (CRC/C/8).

20. The Committee welcomed the fact that some reports had already been submitted by States parties; this showed a political willingness to establish a meaningful dialogue with the Committee.

21. The Committee emphasized the importance it attached to the timely submission of State party reports in accordance with article 44 of the Convention.

22. The Committee was encouraged by the fact that an unprecedented number of States had ratified or acceded to the Convention and that the general guidelines regarding the form and content of initial reports (CRC/C/5), as well as the consolidated guidelines on the "core document" on information of a general character (HRI/CORE/1), had been sent to those States. The Committee reiterated the need to encourage States parties to prepare their initial reports on a timely basis and following the adopted guidelines. It recalled that the process of reporting should be an important occasion for conducting a comprehensive review of the various measures undertaken for monitoring progress made in the enjoyment of the rights set forth in the Convention, and that this process should encourage and facilitate popular participation and public scrutiny of government policies.

23. It was recalled that, in accordance with rule 67 of its provisional rules of procedure, the Committee shall, in the case of non-submission of reports, transmit to the States parties concerned a reminder about the submission of such reports. The secretariat was requested to remind permanent missions of States parties whose reports had become due during the current session but had not been submitted in time, of their reporting obligations under the Convention.

Third session

24. The Committee had before it the following documents: notes by the Secretary-General on initial reports by States parties due in 1992 (CRC/C/3), 1993 (CRC/C/8/Rev.1) and 1994 (CRC/C/11); and a note by the Secretary-General on the States parties to the Convention and the status of submission of reports (CRC/C/12). The Committee was informed that, in addition to the seven reports that were scheduled for consideration by the Committee at that session, the Secretary-General had received the initial reports of Costa Rica (CRC/C/3/Add.8), El Salvador (CRC/C/3/Add.9), Indonesia (CRC/C/3/Add.10), Mexico (CRC/C/3/Add.11), Namibia (CRC/C/3/Add.12), Pakistan (CRC/C/3/Add.13) and Peru (CRC/C/3/Add.7).

Fourth session

25. In connection with this item, the Committee had before it the following documents: notes by the Secretary-General on initial reports by States parties due in 1992 (CRC/C/3), 1993 (CRC/C/8/Rev.2) and 1994 (CRC/C/11/Rev.2); and a note by the Secretary-General on the States parties to the Convention and the status of submission of reports (CRC/C/18). The Committee was informed that, in addition to the six reports that were scheduled for consideration by the Committee at that session, the Secretary-General had received the initial reports of Argentina (CRC/C/8/Add.2), Belarus (CRC/C/3/Add.14), Burkina Faso (CRC/C/3/Add.19), Chile (CRC/C/3/Add.18), Colombia (CRC/C/8/Add.3), the Czech Republic (CRC/C/11/Add.1), Denmark (CRC/C/8/Add.8), France (CRC/C/3/Add.15), Honduras (CRC/C/3/Add.17), Jordan (CRC/C/8/Add.4), Madagascar (CRC/C/8/Add.5), Myanmar (CRC/C/8/Add.9), Norway (CRC/C/8/Add.7), Paraguay (CRC/C/3/Add.22), Philippines (CRC/C/3/Add.23), Romania (CRC/C/3/Add.16) and Spain (CRC/C/8/Add.6).

Fifth session

26. In connection with this item, the Committee had before it the following documents: notes by the Secretary-General on initial reports by States parties due in 1992 (CRC/C/3), 1993 (CRC/C/8/Rev.2) and 1994 (CRC/C/11/Rev.3); a note by the Secretary-General on the States parties to the Convention and the status of submission of reports (CRC/C/22); and a note by the Secretary-General on the status of consideration of reports (CRC/C/23). The Committee was informed that, in addition to the reports that were scheduled for consideration by the Committee at its present session and those which had been received prior to the Committee's fourth session, the Committee had received the initial reports of Jamaica (CRC/C/8/Add.12), Nicaragua (CRC/C/3/Add.25), Poland (CRC/C/8/Add.11) and Ukraine (CRC/C/8/Add.10), as well as additional information submitted by Indonesia (CRC/C/3/Add.26) and Peru (CRC/C/3/Add.24) following the requests made by the Committee in the course of its consideration of the initial reports of those countries (see CRC/C/20, paras. 54 and 68).

B. Consideration of reports

27. During its third, fourth and fifth sessions, the Committee considered the initial reports of Belarus, Bolivia, Colombia, Costa Rica, El Salvador, Egypt, Indonesia, Mexico, Namibia, Peru, Romania, the Russian Federation, Rwanda, the Sudan, Sweden and Viet Nam.

28. In accordance with rule 68 of the provisional rules of procedure of the Committee, representatives of all the reporting States were invited to attend

the meetings of the Committee when their reports were examined. All the States parties whose reports were considered by the Committee sent representatives to participate in the examination of their respective reports.

29. The following section, arranged on a country-by-country basis according to the sequence followed by the Committee in its consideration of reports at its second, third, fourth and fifth sessions, contains preliminary and/or concluding observations reflecting the main points of the discussion and indicating, where necessary, issues that would require a specific follow-up.

30. More detailed information is contained in the reports submitted by the States parties and in the summary records of the relevant meetings of the Committee.

1. Concluding observations: Bolivia

31. The Committee considered the initial report of Bolivia (CRC/C/3/Add.2) at its 52nd, 53rd and 54th meetings (CRC/C/SR.52 to 54), held on 14 and 15 January 1993, and adopted, at its 65th meeting, on 22 January 1993, the following concluding observations.

(a) Introduction

32. The Committee notes with satisfaction the timely submission of the initial report of Bolivia, which was one of the first States to become a party to the Convention on the Rights of the Child. Although the report contained valuable information on the legislative framework for the application of the Convention, the dialogue gave way to a request for further information on how the laws are applied in actual practice and what mechanisms exist to evaluate the results that have been achieved.

33. The Committee attaches great importance to the opportunity, afforded by the consideration of a State party's report, to undertake a constructive dialogue with that State party on the implementation of the Convention. In this regard, the Committee expresses its appreciation to the delegation of Bolivia for facilitating a useful and frank discussion and for providing further information to the Committee to enable it to obtain a more comprehensive view of the application of the Convention in Bolivia. The Committee takes note of the statement made by the delegation regretting that it had not been possible to include high-level representatives from the ministries concerned with the actual implementation of the Convention who could have benefited from direct dialogue with the Committee.

(b) Positive aspects

34. The Committee welcomes the recent adoption and entry into force of the new juvenile code, which represents significant progress towards harmonizing legislation and policy with the provisions of the Convention and thereby provides a legal framework for its implementation. The Committee notes with satisfaction the process of the preparation of the reports, the involvement of the judiciary, as well as the steps taken to provide for the participation of non-governmental organizations in the preparation of the relevant legislation and the formulation of public policy on children, thereby broadening popular participation in the implementation process. In this connection, it is also important to note that the provisions of the Convention may be invoked in a court of law in Bolivia.

(c) Factors and difficulties impeding the implementation of the Convention

35. The Committee notes that economic factors, including a high level of external debt, have made the full application of the Convention more difficult. In this respect, the Committee notes with concern that the long-term considerations embodied in many structural adjustment policies have not adequately taken into account the needs of today's children. While the State is responsible for the implementation of the Convention on the Rights of the Child, the Committee recognizes that additional international assistance will be needed to address more effectively the challenge of improving the situation of children living in poverty, particularly those from the rural areas of the country.

36. The Committee also recognizes that, since the new juvenile code was adopted only recently, there has not been sufficient time to implement it fully or to evaluate its effectiveness.

(d) Principal subjects of concern

37. The Committee expresses its concern that the stringent budgetary measures have had high social costs and have adversely affected the rights of the child in Bolivia. The Committee, while welcoming the adoption of the Ten-Year Plan of Action for the Bolivian Child, which is aimed at redressing in favour of children some of the present imbalances, emphasizes the need to elaborate a comprehensive strategy for implementing the Convention and to develop an effective monitoring mechanism for evaluating the progress achieved and the difficulties encountered. At present, it is unclear as to how non-governmental organizations and the general public are to be involved in monitoring and evaluating the application of the Convention.

38. The Committee is concerned that the definition of the child contained in the juvenile code does not comply with the requirements of article 1 of the Convention.

39. The Committee underlines the importance of implementing all of the provisions of the Convention in the light of the general principles contained in articles 2, 3, 6 and 12 of the Convention. In this regard, the Committee notes with concern the disparities in the status and treatment of children in Bolivia conforming to distinctions based on race, sex, language and ethnic or social origin. Vulnerable groups of children, including girl children, indigenous children and children living in poverty, are particularly disadvantaged in their access to adequate health and educational facilities and are the primary victims of such abuses as sale and trafficking, child labour and sexual and other forms of exploitation. The diminished level of protection for girl children inherent in the lower minimum age for marriage is discriminatory and, as a result, deprives this group of children of the benefit of other protections afforded by the Convention.

40. The Committee is concerned that only 47 per cent of births are supervised by qualified health care workers, and is alarmed at the implications this may have for increased likelihood of sickness and disability arising from preventable problems occurring during delivery. More budgetary support is needed to correct this situation, as well as sufficient support to programmes benefiting the mental and physical development of children. With respect to education, the Committee notes with concern that vulnerable groups of children, such as girl children, indigenous children and children living in rural areas, are over-represented in the number of children not enrolled in school.

41. With regard to articles 37 and 40, the Committee is concerned that there are not adequate safeguards to ensure non-discrimination in the implementation of these provisions of the Convention. The Committee is concerned about the present discretionary procedure of considering the "personality" of the child as a criteria for passing sentences. This practice, in its actual application, may often be discriminatory against children living in poverty. The Committee is also concerned that there is inadequate separation of children from adults in detention and that a child may remain in custody for the excessively long period of 45 days before the legality of his or her detention is decided upon. The age for legal counselling without parental consent is unclear and practices in this regard may not be in conformity with article 37 (d) of the Convention.

42. The Committee expresses most particular concern for children who work or live in the street in order to survive and who require special attention because of the risks they are exposed to.

(e) Suggestions and recommendations

43. The Committee recommends that the necessary changes be made in the juvenile code to ensure that it is in full conformity with the requirements of the Convention, particularly with respect to the definition of the legislative framework and evaluating its effect on children, especially those from vulnerable groups. In this connection, the impact of the Ten-Year Plan of Action for the Bolivian Child should also be actively monitored and statistical and other indicators necessary for evaluating the progress achieved should be included in the second periodic report of the State party. The Committee positively notes the statement made by the delegation indicating its commitment to send to the Committee in the near future further information on indicators, in particular in the field of health, education, children in conflict with the law, disabled children or abandoned children.

44. The Committee emphasizes that the principle of non-discrimination, as provided for under article 2 of the Convention, must be vigorously applied, and that a more active approach should be taken to eliminate discrimination against certain groups of children, most notably girl children. In this connection, the Committee notes that the application of this and the other general principles of the Convention cannot be dependent upon budgetary resources. With regard to budgetary priorities in the allocation of available resources, the State party should be guided by the principle of the best interests of the child, as provided for in article 3 of the Convention, particularly as this applies to the most vulnerable groups of children, such as girl children, indigenous children and children living in poverty, including abandoned children.

45. The Committee encourages the Government of Bolivia to consider the possibility of acceding to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

46. The Committee recommends that the State party undertake to ensure that adequate protection is afforded to economically and socially disadvantaged children in conflict with the law and that alternatives to institutional care are available, as provided for under article 40, paragraphs 3 and 4, of the Convention.

47. The Committee underlines that the provisions of the Convention should be widely publicized among the general public and, in particular, among judges, lawyers, teachers and members of other professions working with children or which are concerned with the implementation of the Convention. Particularly

important in this regard is the training of police and the staff in correctional facilities. Such initiatives could be effectively undertaken in cooperation with non-governmental organizations.

48. The Committee recommends that the provisions of the Convention should be more readily available in local languages. Steps should be taken to encourage grass-roots support for the rights of the child and to use the Convention as a tool to stimulate popular volunteer programmes, as a way of supplementing budgetary resources available for the benefit of children.

2. Concluding observations: Sweden

49. The Committee considered the initial report of Sweden (CRC/C/3/Add.1) at its 56th, 57th and 58th meetings (CRC/C/SR.56-58), held on 18 and 19 January 1993, and adopted, at its 73rd meeting, on 28 January 1993, the following concluding observations.

(a) Introduction

50. The Committee notes with satisfaction that Sweden has undertaken the necessary steps for the swift ratification of the Convention and was the first State to fulfil its reporting obligations. Its report is very comprehensive and follows closely the Committee's guidelines, although more information is needed on the situation of vulnerable groups, particularly minority children, including indigenous children, and neglected children in the major city areas.

51. The Committee expresses its appreciation for the additional information provided by the delegation that was sent to present the report of Sweden to the Committee. In this regard, the presence of a high-level delegation enabled a constructive dialogue to take place between the Committee and officials from those ministries directly responsible for the implementation of the Convention.

(b) Positive aspects

52. The Committee welcomes the Government's awareness of the need to take an active approach to implementing the Convention, disseminating information on it and seeking ways to further improve the status of children in Sweden. In this regard, the Committee notes with satisfaction that laws have been enacted and administrative measures proposed to harmonize the legal framework for the protection of children's rights with the requirements of the Convention. The relevant legislation generally reflects the provisions of the Convention as well as the general principles which serve to guide its implementation. Particularly noteworthy is the Government's spirit of dialogue with non-governmental organizations, especially in regard to publicizing the Convention and promoting awareness among the general public.

53. The Committee expresses its appreciation for the significant contribution of the Swedish Government and the Swedish non-governmental organizations to improving the situation of children world wide. The prominence given by the State party to furthering the rights of the child through international cooperation and assistance directly benefiting children follows the spirit of article 4 of the Convention and can serve as a useful guide for other States parties.

54. The Committee notes that the competent Swedish authorities are considering the possibility of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

(c) Principal subjects of concern

55. The Committee notes the fact that the law does not provide for protection against all the various forms of discrimination enumerated in article 2 of the Convention. As a result, it is unclear whether the law prohibits discrimination on the basis of the child's or his or her parents' or legal guardian's language, religion, political or other opinion, social origin, property, disability, birth or other status.

56. The Committee expresses its concern over the lack of clarity and apparent discrepancies contained in the law with regard to the definition of the child. The Committee notes that although persons under 18 in Sweden do not enjoy full legal capacity they may be subjected to military service and that a person aged 15 or over can be accepted in the Home Guard Defence. The Committee also expresses its concern at the fact that the age of sexual maturity has not been fixed, which threatens the protection of children from possible exploitation in the use of pornographic materials.

57. The Committee is concerned that the Government does not ensure that children in detention are separated from adults. The Committee is also concerned by the practice of taking foreign children into custody under the Aliens Act and notes that this practice is discriminatory in so far as Swedish children generally cannot be placed in custody until after the age of 18. Likewise, there seems to be a lack of information on children who are victims of sexual exploitation, including incest.

(d) Suggestions and recommendations

58. With regard to general measures of implementation, the Committee recommends that careful attention be given to setting up the monitoring mechanism and indicators for measuring the progress made in the implementation of the legislative and other measures to protect the rights of the child. The Committee underlines that the implementation of the Convention should be carried out in close cooperation with local authorities in order to ensure an approach which is effective and consistent with the provisions and general principles of the Convention. In this connection, the Government should ensure that spending cuts carried out by municipalities are effected with due regard for the best interests of children, particularly those from the most vulnerable groups. To enhance the effective implementation of the Convention, the Committee suggests that the State party consider closer coordination with non-governmental organizations at the policy-making level; incorporating the provisions of the Convention directly into domestic law; and further strengthening international cooperation and assistance, particularly for the benefit of vulnerable groups such as disabled children and children needing special protection.

59. With respect to the definition of the child, the Committee recommends that the State party consider an approach which is more coherent and more closely reflects the general principles and the provisions of the Convention. In recognition of the spirit of article 38 of the Convention, steps might be taken to close the gap in the law which at present allows for the possibility of conscripting children under the age of 18 into the armed forces. The Committee suggests that the Government should reassess the effectiveness of present regulations regarding the exploitation of children in pornographic materials.

Further, the Government should not overlook the problem of sexual abuse within the family. The Government may also wish to reassess the advisability of permitting a child of seven years or older to accept legal or medical counselling without parental consent.

60. In regard to children in conflict with the law, the Committee suggests that further consideration should be given to ensuring that children in detention are separated from adults, taking into account the best interests of the child and alternatives to institutional care. In this connection, the State party may wish to study the situation in those countries where arrangements for liaison between juveniles and the police force have been established. The Committee also suggests that consideration be given to providing alternatives to the incarceration of children under the Aliens Act and that a public defence counsel be appointed for children in conflict with the law.

61. The Committee also recommends that steps should be taken to monitor more closely the situation of foreign children placed in adoptive families in Sweden. The Committee emphasizes the importance of monitoring the situation of foreign children and other vulnerable groups, and to this end, the Committee requests that the next report of the State party include fuller statistical and other indicators for these groups, including the incidence of HIV infection and AIDS. Recognizing that the ratification of other international human rights instruments has a favourable influence on the promotion of the rights of the child, the State party might consider ratifying the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

3. Concluding observations: Viet Nam

62. The Committee considered the initial report of Viet Nam (CRC/C/3/Add.4) at its 59th, 60th and 61st meetings (CRC/C/SR.59-61), held on 19 and 20 January 1993, and adopted, at its 73rd meeting, on 28 January 1993, the following concluding observations.

(a) Introduction

63. The Committee expresses its appreciation to the State party for its report and for engaging through a high-ranking delegation in a constructive and frank dialogue with the Committee. It notes with satisfaction that Viet Nam has been the first Asian State to sign and ratify the Convention and to submit a report on its implementation. The Committee appreciates the comprehensiveness of the report, which has been prepared in conformity with the Committee's guidelines.

64. The report and the detailed additional information provided by the State party's representatives in the course of the discussion have enabled the Committee to obtain a comprehensive view of the State party's compliance with the obligations undertaken under the Convention on the Rights of the Child and human rights standards set forth therein.

(b) Positive aspects

65. The Committee takes note with satisfaction of the efforts made by the Government of Viet Nam to secure implementation of the Convention's provisions throughout the country. The adoption by the National Assembly of the Law on the Protection, Care and Education of Children and of the Law on the Universalization of Primary Education in August 1991, the proclamation of the

Year of the Vietnamese Child in 1989-1990, the national review of the first 10 years (1979-1989) of implementation of the Ordinance on the Protection, Care and Education of Children and related activities, the stipulations on the rights of the child in the new national Constitution - all these developments are important steps towards the implementation of the Convention. The Committee notes with satisfaction the holding, as follow-up action to the World Summit for Children, of a National Summit for Children and approval by it of Viet Nam's draft National Programme of Action for Children 1991-2000. The Committee finds of particular importance the establishment of the Committee for the Protection and Care of Children at the national level, as well as the establishment of such committees at provincial, district and commune levels, to monitor the implementation of the Convention.

(c) Factors and difficulties impeding the implementation of the Convention

66. The Committee notes that transition from a centrally planned to a market-oriented economy in Viet Nam produces new, or aggravates old social problems which have a negative impact on the situation of children. Old traditions in remote parts of the country also create difficulties for the application of the provisions of the Convention. The Committee notes that the Government of Viet Nam is well aware of the existing difficulties impeding the implementation of the Convention and much appreciates the frankness and openness of the report in this respect. The Committee, furthermore, notes the commitment expressed by the Government to do everything, through national as well as international actions, in such a difficult situation to ensure that the children's problems are treated with the highest possible priority.

(d) Principal subjects of concern

67. The Committee expresses its concern about the negative effects of the economic reforms under way in Viet Nam on the situation of children. It is also concerned about the situation of children belonging to the various minority groups, especially those living in the mountain areas of the country. The Committee notes that long periods of imprisonment for delinquent children set forth in national penal legislation are not in conformity with the provisions of article 37 of the Convention and that every child alleged to have or accused of having infringed the penal law should have the guarantees envisaged in article 40 of the Convention. The Committee also expresses its concern at the perpetuation of prejudices in some regions of the country resulting in discrimination against women and girls. The situation of children in rural areas is a general concern, for example, regarding health and educational possibilities. The growing number of children living and/or working on the street, child prostitution and pornography are also matters of concern, as is the lack of adequate training of the law enforcement officials as far as the implementation of the Convention is concerned.

(e) Suggestions and recommendations

68. The Committee considers it to be particularly important for the Government of Viet Nam to take all necessary steps, both nationally and also using international assistance and cooperation, to minimize the negative impact that the economic reforms may have on the most vulnerable group, i.e. children of the Vietnamese society. Particular attention should be paid to the protection of children belonging to different minority groups, children living in rural areas and children in urban areas who live and/or work on the street. In the latter case, there seems to be a need to further study the root causes of this phenomenon and develop appropriate strategies to resolve this problem.

69. The appropriate amendments should be made to the Penal Code in order to adequately reflect the provisions contained in articles 37, 39 and 40 of the Convention as well as the relevant provisions of the Code of Conduct for Law Enforcement Officials and other international standards in this field such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. In this connection the Committee recommends that a training course for law enforcement personnel be organized by the Centre for Human Rights in Viet Nam.

70. The text of the Convention should be translated into the languages of all minority groups and disseminated as widely as possible in order to sensitize public opinion with respect to the protection of the rights of the child. The youth and non-governmental organizations could play an active role in creating awareness about the Convention all over the country.

71. The Committee proposed, in accordance with article 44, paragraph 4, of the Convention, that additional information be provided to the Committee with respect to the administration of juvenile justice by 1 June 1993 in order to enable the Committee's pre-sessional working group to consider that information and to report back to the Committee at its autumn session. The publication and the widest possible dissemination within the country of the report submitted by the Government of Viet Nam to the Committee and of the Committee's proceedings are recommended.

4. Concluding observations: Russian Federation

72. The Committee considered the initial report of the Russian Federation (CRC/C/3/Add.5) at its 62nd, 63rd and 64th meetings (CRC/C/SR.62-64), held on 21 and 22 January 1993, and adopted, at its 73rd meeting, on 28 January 1993, the following concluding observations.

(a) Introduction

73. The Committee expresses satisfaction at the timely submission of the Russian Federation's initial report and for the frank, self-critical and comprehensive manner in which it was prepared. The Committee notes with appreciation the high-level representation sent to discuss the report, which serves as an indication of the importance attached by the Government of the Russian Federation to its obligations under the Convention, and for the open, comprehensive and constructive approach that characterized the dialogue with the delegation.

(b) Positive aspects

74. The Committee is encouraged by the Government's willingness to define and appreciate the problems impeding the implementation of the rights provided for in the Convention and to search for adequate solutions to face them. In this regard, the Committee notes with satisfaction the progress being made in introducing legislative measures to improve the application of the Convention as well as the proposed establishment of juvenile and family courts. Equally, it recognizes the importance of the steps being taken to develop: the involvement of local and regional authorities in taking responsibility for implementing the rights of the child; the participation of non-governmental organizations in programmes to implement the rights of the child; the training of social and other workers dealing directly with children and family-related problems; the

awareness of the importance of the family and equal parental responsibilities; and the dissemination of information on the rights of the child.

75. The Committee also notes with satisfaction, in the light of article 4 of the Convention, the allocation of further resources for the benefit of children as a consequence of the economic effects of disarmament.

76. At a time of critical change in the State party and in view of the information provided by the delegation, the Committee recognizes the importance accorded by the State party to introducing positive changes for the benefit of children and to continuing to pursue policies that take into account the needs of children in a period of structural adjustment.

(c) Factors and difficulties impeding the implementation of the Convention

77. The Committee recognizes the difficulties facing the Russian Federation in this period of political transition in a climate of social change and economic crisis. Similarly, the Committee recognizes the legacy of certain attitudes which hamper the implementation of the rights of the child. These relate to, *inter alia*, the institutionalization of child care, the disabled and family responsibilities.

78. While recognizing the importance of the various reforms mentioned by the delegation, the Committee notes, however, that it is unable at this stage to assess the impact of the new and proposed legislative and other changes on the situation of children.

(d) Principal subjects of concern

79. The Committee is concerned about the effects on children of the economic crisis. In this connection, the Committee is particularly concerned as to whether adequate and appropriate measures are being taken to protect children from being the victims of economic reform in the light of articles 3 and 4 of the Convention.

80. The Committee is concerned that society is not sufficiently sensitive to the needs and situation of children from particularly vulnerable and disadvantaged groups, such as the disabled, in the light of article 2 of the Convention.

81. The Committee considers the serious problems of family life in the Russian Federation to be an area of priority concern. The Committee notes with particular concern the tendency towards the breakdown of family culture as regards abandoned children, abortion, the divorce rate, the number of adoptions, the number of children born out of wedlock and recovery of maintenance obligations.

82. Similarly, the Committee is concerned about the practice of the institutionalization in boarding schools of children who are deprived of a family environment, particularly in cases of abandonment or where children are orphaned.

83. The Committee expresses its concern as to the problems encountered in the immunization programme, the level of antenatal care, family planning programmes and the training of local community health workers. The Committee also expresses its concern at the frequent recourse to abortion as what appears to be a method of family planning.

84. As regards the implementation of article 28 of the Convention, the Committee expresses its concern as to the situation of the girl child in rural areas.

85. The Committee expresses its concern as to the compatibility of juvenile justice and penitentiary institutions with article 37 of the Convention and how the rights of the child to leisure and contacts with the family and the best interests of the child are protected in such situations. The Committee also expresses concern at the present organization of the system of administration of justice ad its compatibility with article 37 of the Convention and other standards relating to juvenile justice.

86. The Committee notes with concern the increasing crime rate among children and the vulnerability of children to sexual abuse, drug abuse and alcoholism.

(e) Suggestions and recommendations

87. The Committee recommends that in a period of structural adjustment it is particularly important to monitor regularly the effects of economic change on children. The Committee also emphasizes the appropriateness of identifying and using indicators to follow the Government's progress in the implementation of legislative and other measures for the rights of the child.

88. The Committee proposes that the Government consider the establishment of a National State Committee or any similar structure with the purpose of coordinating the implementation of the Convention and the monitoring thereof. The Committee recommends that support should be given to local and other non-governmental organizations for the mobilization of work on the rights of the child. The Committee also recommends the active participation of non-governmental organizations as well as children and youth groups in changing and influencing attitudes for the better implementation of the rights of the child.

89. The Committee considers that greater efforts should be made to provide family life education, to organize discussions on the role of the family in society and to develop awareness of the equal responsibilities of parents.

90. The Committee recommends that alternatives to institutionalization in boarding schools, such as foster care, should be actively sought. The Committee also recommends the further training of personnel in all institutions such as social, legal or educational workers. An important part of such training should be to emphasize the promotion and protection of the child's sense of dignity and the issue of child neglect and maltreatment. Mechanisms to evaluate the ongoing training of personnel dealing with children are also required.

91. The Committee recommends that the primary health care system be improved regarding the effectiveness of, inter alia, antenatal care, health education, including sex education, family planning and immunization programmes. As regards problems relating specifically to the immunization programme, the Committee suggests that the Government should look to international cooperation for support in the procurement and manufacturing of vaccines.

92. The Committee is concerned about the occurrence of maltreatment and cruelty towards children in and outside the family and suggests that procedures and mechanisms be developed to deal with complaints by children of their maltreatment or of cruelty towards them.

93. Taking into account the positive steps being taken to revise the Penal Code and legislation in this field, the Committee recommends that the State party undertake comprehensive judicial reform as regards the administration of juvenile justice and that the international standards in this field, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, should serve as a guide in this revision. As regards alternative approaches to institutionalization, particular attention should be paid to rehabilitation measures, psychological recovery and social reintegration in line with article 39 of the Convention.

94. The Committee also suggests that part of the training of law enforcement officers, judges and other administration of justice officials be devoted to an understanding of international standards on juvenile justice.

95. The Committee emphasizes that more determined steps need to be taken to combat child prostitution; for example, the police forces should accord high priority to the investigation of such cases and the development of programmes to implement the provisions contained in article 39 of the Convention.

5. Concluding observations: Egypt

96. The Committee considered the initial report of Egypt (CRC/C/3/Add.6) at its 66th to 68th meetings (CRC/C/SR.66-68), held on 25 and 26 January 1993, and adopted, at its 73rd meeting, on 28 January 1993, the following concluding observations.

(a) Introduction

97. The Committee notes with satisfaction the timely submission of the initial report of Egypt, which was one of the first States to become party to the Convention on the Rights of the Child. It also compliments the State party on its timely report, which followed the Committee's guidelines. In addition to giving the relevant laws and regulations, the report contains information on actual practices and factors and difficulties affecting the implementation of the Convention.

98. The Committee expresses its appreciation for the additional information provided by the high-level delegation, which endeavoured to answer all questions from the Committee in an open way, admitting the existence of problems.

(b) Positive aspects

99. The Committee takes note of efforts made by the Government of Egypt to secure implementation of the Convention's provisions throughout the country. The Committee welcomes the establishment, in January 1989, of the National Council for Childhood and Motherhood. It regards as important features the formulation of a general policy and strategy for the development of Egyptian childhood and the inclusion of the childhood and motherhood components in the five-year State plan 1992/93-1997/98. The Committee also notes with satisfaction the activities of the Supreme Constitutional Court in so far as the implementation of the Convention is concerned. Furthermore, the Committee notes the intention of the National Council to systematize the collection of statistical and other data as a basis for further efforts in the implementation of the Convention. Indications about research into problems relating to children in especially difficult circumstances are also welcomed. Taken together, these notable developments indicate that the Government of Egypt takes

very seriously its obligations under the Convention and is moving towards establishing a firm legal basis for the realization of the rights contained therein.

(c) Factors and difficulties impeding the implementation of the Convention

100. The Committee notes that structural adjustment policies have created difficulties in the full application of the rights guaranteed by the Convention and have had a specific impact on the situation of children, in particular children in low-income categories and in rural areas. The Committee, however, takes this opportunity to recall that, under article 4 of the Convention, States parties are called upon to implement the Convention to the maximum extent of their available resources.

(d) Principal subjects of concern

101. The Committee notes that, although Egyptian laws and regulations guarantee equality between the sexes, there is in reality still a pattern of disparity between boys and girls, in particular as far as access to education is concerned.

102. Of special concern to the Committee has also been the situation of children in rural areas and of disabled children. In regard to the latter, the Committee expresses concern over the very low number of disabled children who are enrolled in schools, which might reflect an insufficient sensitiveness of the society to the specific needs and situation of those children.

103. The Committee is concerned about the situation of children in conflict with the law and, in particular, of children serving custodial sentences in social care institutions. Concern is expressed, in general, as to the compatibility with articles 37 and 40 of the Convention of the juvenile justice institutions and the administration of justice system in so far as it relates to juvenile justice.

104. Specific concern is also expressed regarding the very large number of children between 6 and 14 years of age who are enrolled in the labour force and therefore lack, wholly or partly, the possibility of going to school. Although children may to a certain extent contribute to seasonal activities, care should always be taken that primary education is available to them and that they are not working in hazardous conditions.

105. The quality of education in schools also gives cause for concern and may be an explanation for high drop-out rates; the problem relates to pedagogical methods, curricula and the lack of adequate educational material.

106. The Committee expresses its concern as to the need for measures to improve the health of children, in particular those in the school-age group.

(e) Suggestions and recommendations

107. The Committee emphasizes that the principle of non-discrimination, as provided for under article 2 of the Convention, must be vigorously applied. A more active approach should be taken to eliminating discrimination against certain groups of children, in particular girl children and children in rural areas. With regard to the gap in literacy and school enrolment mentioned in the report, obstacles facing girls should be adequately addressed so that they can

enjoy their right to go to school; further measures might be taken to increase the awareness of parents in this regard.

108. Steps should be undertaken to afford adequate protection to disabled children including the possibility, in particular through education, of integrating them into society and raising the awareness of their families about their specific needs. Efforts for the early detection of the incidence of handicap are important.

109. Adequate protection should also be afforded to children in conflict with the law. The Committee recommends that the appropriate amendments be made to the Juveniles Act No. 31 of 1974 to adequately reflect the provisions of the Convention as well as other international standards in this field, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. In that regard it is suggested that general principles underlying the Convention, such as consideration of the best interest and dignity of the child and its role into society, be taken into account. Deprivation of liberty should always be envisaged as the very last resort, and particular attention should be paid to rehabilitation measures, psychological recovery and social reintegration. Furthermore, deprivation of liberty in social care institutions should be regularly monitored by a judge or an independent body.

110. The recommendations of the studies on child labour undertaken with the assistance of the International Labour Organization on the problem of child employment should be implemented and Egyptian legislation on minimum age should be revised. In that regard, consideration should be given to the possibility of acceding to ILO Convention No. 138 and other conventions on minimum age of employment relating to the protection of children and young persons at work.

111. The text of the Convention should be disseminated as widely as possible among the public at large and, in particular, among judges, teachers and members of other professions working with children. Furthermore, specific training courses should be organized for law enforcement personnel and the personnel in correctional facilities as well as for those working with families with psychological problems.

112. Statistical information and other indicators necessary for evaluating progress achieved in the implementation of the Convention should be included in the second periodic report of the State party.

6. Preliminary observations: Sudan

113. The Committee began consideration of the initial report of the Sudan (CRC/C/3/Add.3) at its 69th, 70th and 71st meetings (CRC/C/SR.69-71), held on 26 and 27 January 1993. Due to the complexity of the situation and the problems facing children in the Sudan, the Committee decided to continue consideration of the initial report of the Sudan at its fourth session, scheduled to be held from 20 September to 8 October 1993. In this connection, the Committee requested the State party to provide it with written answers to questions which, due to time constraints, remained unanswered. Equally, the Committee requested the State party to provide it with additional information, in accordance with rule 69 of its provisional rules of procedure and article 44, paragraph 4, of the Convention, on particular areas of concern identified by the Committee and on the results of any recent surveys undertaken. The Committee recommended that the information requested be submitted to the Committee by 15 May 1993. At its

73rd meeting, held on 28 January 1993, the Committee adopted the following preliminary observations.*

(a) Introduction

114. The Committee expresses satisfaction at the State party's early ratification of the Convention without any reservations and for the timely submission of its initial report. However, the Committee feels that in the light of the adopted guidelines further information would be required, inter alia, on special protection measures and on the policies and strategies required to realize health care and education goals.

(b) Positive aspects

115. The Committee welcomes the comments made by the State party on the merits of establishing a constructive and useful dialogue with the Committee and on the positive role the Committee should fulfil, in this regard, in providing advice and assistance to the State party on how to implement the Convention.

116. The Committee takes note of the statement made by the delegation of the Sudan that the Convention has been incorporated into national legislation. The Committee also notes the willingness shown by the Government of the Sudan to take into account the recommendations made by the Committee with a view to reviewing existing legislation in order to bring it into conformity with the Convention and to changing attitudes to traditional practices prejudicial to the health of children, including female genital mutilation.

117. In addition, the Committee takes note of the decision of the Government of the Sudan to make available for public distribution in one document both the report of Sudan to the Committee on the Rights of the Child and the results of the dialogue with this Committee.

(c) Factors and difficulties impeding the implementation of the Convention

118. The Committee takes note of the problems which have hampered the implementation of the Convention in the State party. They include: civil war, structural readjustment measures, infrastructural inadequacies, desertification, drought and famine.

(d) Principal subjects of concern

119. The Committee notes the non-compatibility of certain areas of national legislation with the provisions and principles of the Convention, including the punishment of flogging.

120. The Committee notes with concern the problems of putting into effect article 4 of the Convention as it relates to matters of international cooperation to facilitate the implementation of the Convention.

121. The Committee expresses concern as to the effects of armed conflict on children, including the provision of humanitarian assistance and relief and protection of children in situations of armed conflict. In emergency

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* See also section 10 below, Concluding observations: Sudan.

situations, all parties involved should do their utmost to facilitate humanitarian assistance to protect the lives of children.

122. The Committee is concerned at the situation of internally displaced children and refugee and neglected children.

123. In addition, the Committee expresses its concern as to the issues of criminal responsibility and the administration of juvenile justice.

124. The Committee also expresses its concern regarding the issues of forced labour and slavery.

125. The Committee requests additional information on these and other concerns raised during its dialogue with the delegation and requests clarification as to the definition of the child, the situation of disabled children and children's access to education.

7. Preliminary observations: Indonesia

126. The Committee began consideration of the initial report of Indonesia (CRC/C/3/Add.10) at its 79th, 80th and 81st meetings (CRC/C/SR.79-81), held on 22 and 23 September 1993. In view of the fact that there was not sufficient time during the session to fully clarify a number of questions both in written and oral form relating to the implementation of the Convention, the Committee decided to continue its consideration of the report at a future session and adopted at the 103rd meeting, held on 8 October 1993, the following preliminary observations.

(a) Introduction

127. The Committee welcomes the State party's commitment to the promotion and protection of the rights of the child as reflected by its early ratification of the Convention and the timely submission of its initial report under article 44 of the Convention. However, the Committee feels that on the basis of the information provided in the initial report and the dialogue ensuing from its consideration, existing legislation is not sufficient to ensure the implementation of the Convention.

(b) Positive aspects

128. The Committee notes with satisfaction the importance Indonesia attaches to the Committee's advice and assistance on measures to be taken to improve the implementation of the rights of the child and welcomes the State party's commitment to cooperating with the Committee and other United Nations bodies and agencies with a view to reviewing and developing policies and programmes to enhance the situation of children.

129. The Committee takes note of the willingness expressed by the State party to review its national legislation in the light of its obligations under the Convention and as reflected in the "Beijing consensus" of August 1992. It also welcomes the State party's commitment to review the reservations it has made to the Convention with a view to considering withdrawing them.

130. The Committee also notes the steps taken to give higher priority to children's concerns, especially within the context of development strategies.

(c) Factors and difficulties impeding the implementation of the Convention

131. The Committee takes note of the difficulties impeding the rapid implementation of the Convention in the State party, particularly the existence of 360 ethnic groups, the dispersal of the population throughout the Indonesian archipelago, as well as the economic problems still facing the State party in general and sectors of the Indonesian population, in particular.

(d) Principal subjects of concern

132. The Committee is deeply concerned at the extent of the reservations made to the Convention by the State party. The Committee feels that the broad and imprecise nature of these reservations raises serious concern as to their compatibility with the object and purposes of the Convention.

133. While the Committee takes note of the delegation's statement that the rights of the child as contained in the Convention are not in contradiction with the Constitution, it is concerned that national legislation does not appear to ensure that all children, including non-nationals, are protected by the rights guaranteed in the Convention.

134. The Committee is also concerned that the rights contained in article 14 of the Convention are not fully protected, in spite of the fact that they are non-derogable.

135. It is also a concern of the Committee that national legislation with respect to the age at which a child may marry may not be compatible with the non-discrimination provisions of the Convention, as reflected in its article 2

136. The Committee expresses its concern at the insufficient efforts undertaken to make the principles and provisions of the Convention widely known to children.

137. The Committee is also concerned at the lack of participation of non-governmental organizations, particularly of human rights groups, in the promotion and protection of the rights of the child, as well as at the absence of efforts to provide training about the rights of the child to personnel working directly with children.

138. The Committee is concerned that insufficient attention is given to the implementation of the general principles of the Convention, particularly its articles 2, 3 and 12. The Committee wishes to emphasize that the implementation of these principles is not to be made dependent on budgetary resources.

139. The Committee is concerned at the small proportion of the budget devoted to the social sectors, particularly primary health care and primary education. In this connection, the Committee draws the State party's attention to the need to respect the provisions of article 4 of the Convention, which emphasize that economic, social and cultural rights should be implemented to the maximum extent of available resources. The Committee emphasizes that such action is required, regardless of the economic model followed by the State party.

140. The Committee expresses its concern as regards the implementation of article 14 of the Convention, as it relates to freedom of religion. The Committee deems it important to underline the fact that limiting official recognition to certain religions may give rise to practices of discrimination.

141. The Committee regrets that the written information requested on special protection measures was not provided and also expresses its concern at the lack of compatibility of the system of administration of juvenile justice with articles 37, 39 and 40 of the Convention and other United Nations standards relating to juvenile justice.

142. The Committee expresses its concern at the absence of a reply from the Government of Indonesia to its urgent communication of November 1991 relating to excessive use of violence by security forces against demonstrating children in Santa Cruz, Dili. In this regard, the Committee draws the attention of the Government of Indonesia to its request for information about the safeguards, established in accordance with the provisions of articles 37 and 40 of the Convention, to ensure that such violations would not occur again. The Committee also requests information on the strategies formulated and facilities provided to rehabilitate the victims of serious human rights violations, in accordance with the provisions of article 39 of the Convention.

143. The Committee is also concerned at the lack of information provided about the situation of child labour and the situation of children who, to survive, are forced to work or live in the street (often known as "street children").

(e) Further action

144. The Committee encourages the Government of Indonesia to undertake a review of the child-related laws so as to ensure their conformity with the provisions of the Convention and, in this regard, draws attention to the activities developed by the programme of advisory services and technical assistance of the United Nations Centre for Human Rights. In the foregoing connection, the Committee welcomes the delegation's invitation to members of the Committee to visit the State party. The Committee requests information in writing on the concerns raised during its dialogue with the delegation (see section (d) above). The Committee also requests that this written information be forwarded to the secretariat by 31 December 1993 with a view to the Committee formulating its concluding observations on the initial report of Indonesia by September/October 1994.

8. Concluding observations: Peru

145. The Committee considered the initial report of Peru (CRC/C/3/Add.7) at its 82nd, 83rd and 84th meetings (CRC/C/SR.82-84), held on 23 and 24 September 1993, and adopted at the 103rd meeting, held on 8 October 1993, the following concluding observations.

(a) Introduction

146. The Committee notes with appreciation the timely submission of the initial report of Peru, which was one of the first States to become a party to the Convention on the Rights of the Child. The Committee regrets, however, that the information provided in the report was in many respects vague and incomplete and did not follow the Committee's guidelines. Furthermore, the lack of information in the report on factors and difficulties impeding the implementation of the various rights recognized by the Convention prevented the Committee from gaining a clear idea of the real situation of children's rights in the country.

147. However, the dialogue with the State party's delegation enabled the Committee to understand better the situation of children in the country. The

Committee therefore expresses its appreciation to the State party's delegation for the valuable information supplementing the report.

(b) Positive aspects

148. The Committee notes with satisfaction the considerable progress achieved during the period under review in bringing domestic law into line with the Convention, through the enactment of new laws and codes and the establishment and strengthening of institutions and processes aimed at promoting and protecting the rights of the child. Among these legislative achievements are the adoption of a Code on Children and Adolescents and the approval of a National Plan of Action for Children. The establishment of the Defensoría del Niño and the possibility for individuals to invoke the provisions of the Convention before Peruvian courts are other welcome developments. The Committee also notes with interest the decision taken by the Peruvian Government to establish a National Week for the Rights of the Child as well as National Monitoring Committees on the Rights of the Child. These measures have a positive impact on the promotion of popular participation in the realization of the rights of the child.

(c) Factors and difficulties impeding the implementation of the Convention

149. The Committee notes that political violence and terrorism have had a considerable negative impact on the situation of children in Peru. Many children have been subjected to various forms of violations and have been obliged to flee areas affected by such violence.

150. The Committee further notes that economic factors, including a high level of external debt, have adversely affected the situation of children.

(d) Principal subjects of concern

151. The Committee expresses its deep concern at the continued violence which has already caused thousands of killings, disappearances and displacements of children and parents. It is therefore necessary that the Government of Peru and Peruvian society adopt an urgent, effective and fair response to protect the rights of the child.

152. The Committee is concerned that, due to the internal violence, several registration centres have been destroyed, adversely affecting the situation of thousands of children who are often left without any identity document, thus running the risk of their being suspected of involvement in terrorist activities.

153. The Committee deplores that, under Decree-Law No. 25564, children between 15 and 18 years of age who are suspected of being involved in terrorist activities do not benefit from safeguards and guarantees afforded by the system of administration of juvenile justice under normal circumstances.

154. The Committee expresses its concern that stringent budgetary measures amounting to decreases in the resources allocated for social expenditures have entailed high social costs and have adversely affected the rights of the child in Peru. Vulnerable groups of children, including children living in areas affected by the internal violence, displaced children, orphans, disabled children, children living in poverty and children living in institutions, are particularly disadvantaged in their access to adequate health and educational facilities and are the primary victims of various forms of exploitation, such as

child prostitution. Furthermore, the long-term considerations embodied in the structural adjustment policies have not adequately taken into account the specific needs of the children and, accordingly, dramatic cuts have been made in many social expenditures in recent years, to the detriment of children. In this respect, the Committee notes with concern that 47 per cent of the National Plan of Action for Children remains to be financed.

155. The Committee is also concerned at the extent of violence within the family; at the high number of abandoned and institutionalized children due to widespread family problems; and about the fact that the Code on Children and Adolescents is not completely in conformity with the relevant provisions of the Convention on the Rights of the Child and relevant conventions of the International Labour Organization, especially with regard to minimum ages for admission to employment.

156. The Committee is concerned at the serious situation of children who, in view of increasing poverty and misery as well as of situations of abandonment or violence within the family, are forced to live and work in the streets, even at an early stage of their lives. For these reasons children often become victims of different forms of exploitation and abuse.

157. The Committee notes with concern the absence in the National Plan of Action of strategies and targets to secure the civil rights of children.

(e) Suggestions and recommendations

158. The Committee acknowledges the fact that, since the Code on Children and Adolescents and the National Plan of Action for Children were adopted only recently, there has not been sufficient time to implement them or to evaluate their effectiveness. In those circumstances, the Committee decides to request the Government of Peru to submit information on measures taken in response to concerns expressed and recommendations made in the present "concluding observations". It wishes to receive that information before the end of 1994.

159. The Committee suggests that coordination between the various governmental agencies and non-governmental organizations involved in the implementation of the Convention and the monitoring thereof be strengthened.

160. The Committee recommends that investigations be conducted into cases of extrajudicial executions, disappearances and torture which are carried out in the context of the internal violence prevailing in several parts of the country. Those accused of such abuses should be tried and, when found guilty, punished. Furthermore, special measures should be taken to ensure that children are protected against the occurrence of such human rights violations and that they benefit from recovery and reintegration programmes in an environment which fosters the dignity and the self-confidence of the child.

161. Specific measures should be undertaken to provide undocumented children fleeing zones affected by internal violence with adequate identity documents.

162. The Committee also recommends that the provisions of Decree-Law No. 25564 dealing with the liability of children suspected of being involved in terrorist activities be repealed or amended in order for children below 18 years of age to enjoy fully the rights set forth in articles 37, 39 and 40 of the Convention.

163. The Committee urges the Government of Peru to take all the necessary steps to minimize the negative impact of the structural adjustment policies on the

situation of children. The authorities should, in the light of articles 3 and 4 of the Convention, undertake all appropriate measures to the maximum extent of their available resources to ensure that sufficient resources are allocated to children. In that regard, particular attention should be paid to the protection of children living in areas affected by internal violence, displaced children, disabled children, children living in poverty and children living in institutions. The Committee recognizes, in that regard, that international assistance will also be needed to address more effectively the challenge of improving the situation of these children.

164. The Committee recommends that the Code on Children and Adolescents be amended along the lines suggested by the Minister of Labour of Peru in May 1993, following comments made to that effect by the International Labour Office.

165. The Committee underlines that the provisions of the Convention should be widely publicized among the general public and, in particular, among judges, lawyers, teachers and members of other professions who are concerned with the implementation of the Convention. Particularly important in this regard is the training of law enforcement officials and the staff in correctional facilities. In view of the extent of domestic violence in the country, a specific campaign of education for peace, tolerance and respect for human rights may also be envisaged.

9. Concluding observations: El Salvador

166. The Committee considered the initial report of El Salvador (CRC/C/3/Add.9) at its 85th, 86th and 87th meetings (CRC/C/SR.85-87), held on 27 and 28 September 1993, and adopted at the 103rd meeting, held on 8 October 1993, the following concluding observations.

(a) Introduction

167. The Committee expresses satisfaction at the State party's early ratification of the Convention and for the timely submission of its initial report. The Committee regrets, however, that substantive and factual information, particularly in reply to the list of issues that was transmitted to the Government of El Salvador well in advance of the Committee's session, could not be provided in time for the consideration of the report. In addition, the Committee notes that the Government of El Salvador had not included in the delegation anyone directly involved in the implementation of the Convention at the national level. At the same time, the Committee takes note of the commitment made by the representative of El Salvador, on behalf of his Government, to provide in writing the substantive information requested by the Committee, even during the present session.

(b) Positive aspects

168. The Committee welcomes the frank and critical approach taken by the State party in preparing the report and, in particular, the reference therein to the main difficulties encountered by the Government of El Salvador in ensuring the implementation of the Convention.

169. The Committee notes with satisfaction that public institutions have been established recently for the protection and improvement of living conditions of children. Legal measures adopted or envisaged to better protect the rights of the child, such as the new Family Code pending adoption by Parliament, also

appear to be encouraging initiatives. In addition, the Committee appreciates the Government's intention to ratify International Labour Convention No. 138 and other instruments relating to the minimum age for employment.

170. *The Committee welcomes* the above initiatives, particularly in view of the fact that measures to protect children are necessary and urgent at the end of a long period of violence and internal conflict in El Salvador, which has caused severe damage to the national economy and deeply affected its society. It hopes that the measures envisaged by the Government will be effectively translated into reality.

(c) Factors and difficulties impeding the implementation of the Convention

171. The Committee takes note of the difficult economic and social situation of El Salvador, compounded by persistent poverty and 12 years of internal conflict and violence. The Government recognizes the need for national efforts to solve many of the problems resulting from the conflict and to create guarantees for the full respect of the provisions of the Convention. The Committee hopes that the democratic institutions of the country, as well as its policy of social reconciliation, will be consolidated soon.

(d) Principal subjects of concern

172. The Committee regrets that the Government of El Salvador has not taken due consideration of the provisions of article 4 of the Convention and that restrictions in the national budget affecting social programmes have been detrimental to the protection of the rights of children.

173. The Committee also notes the lack of coordination between public and private bodies and organizations dealing with the rights of the child.

174. The Committee expresses concern at the concept of children in "irregular situations" in Salvadorian law. Clarification is needed with regard to the criteria used to define this concept, as well as the possible applicability of penal law to such children.

175. In addition, the Committee feels that there is a need to consider seriously questions relating to the legal definition of the child, in particular the minimum age for marriage, employment, military service and testimony before a court. It appears that these provisions do not sufficiently take into consideration the principles of the best interest of the child and non-discrimination.

176. The Committee is alarmed at the large number of children who have been abandoned, displaced or have become orphans as a result of the armed conflict, as well as those who, in order to survive, are forced to live and work in the street.

177. The Committee is also preoccupied by the widespread discriminatory attitudes towards girls and disabled children, as well as by the existence on a large scale of child abuse and violence within the family.

178. The Committee notes with concern the lack of training of professional groups working with and for children.

(e) Suggestions and recommendations

179. The Committee recommends that in accordance with article 44, paragraph 4, of the Convention and rule 69 of its provisional rules of procedure, additional information be requested from the Government of El Salvador in order to respond to the questions and concerns expressed by the Committee during its consideration of the initial report. Such information should be submitted by the end of 1994. The Committee also suggests that El Salvador submit its "core document" (see HRI/1991/1) as referred to in paragraph 5 of the Committee's adopted guidelines concerning the initial part of State party reports to be submitted under the various international human rights instruments (CRC/C/5).

180. The Committee would also like to receive information with regard to the actual implementation of the legislation and the impact of the action planned by the Government to improve respect for the rights of children. The Government should provide, in particular, clarification on the status of the Convention in the domestic legislation of El Salvador and the possibility of invoking the provisions of the Convention directly in court.

181. In relation to the adverse impact of the internal conflict on children who live in exceptionally difficult situations, the Committee wishes to receive precise information with regard to rehabilitation programmes for affected children and the progress of such programmes, as well as statistical data with regard to displaced children within the country.

182. The Committee is also interested in being informed about the distribution of child care services in rural and urban areas and the training of relevant personnel.

183. Strategies and educational programmes along with the adequate dissemination of information should be undertaken in order to counter certain prejudices which affect children negatively, such as gender-based discrimination (known as machismo) and discrimination against disabled children (especially in rural areas), and to enhance the participation of children, in particular within the family.

184. In the light of the discussions and taking into account the situation of children in El Salvador, the Committee recommends that urgent measures be adopted for the protection of children belonging to vulnerable groups, in particular displaced and refugee children, disabled and homeless children, as well as children subject to abuse or violence within the family. Such measures should encompass social assistance and rehabilitation programmes oriented towards those groups of children and be undertaken, with the cooperation and support of the relevant United Nations agencies and international organizations, in the spirit of article 45 (b) of the Convention.

10. Concluding observations: Sudan

185. The additional information submitted by the State party in response to the request by the Committee (see para. 113 above) is contained in document CRC/C/3/Add.20. The Committee, having continued its consideration of the initial report of the Sudan and having examined the additional information at its 89th and 90th meetings (CRC/C/SR.89-90), held on 29 September 1993, adopted at the 103rd meeting, held on 8 October 1993, the following concluding observations.

(a) Introduction

186. The Committee welcomes the continuation of the dialogue with the representative of the Government of the Sudan. It notes the efforts undertaken thus far by the Government to follow up on the concerns raised previously by the Committee as regards the seriousness of the situation of children in that country.

(b) Positive aspects

187. The Committee notes the willingness shown by the Government of the Sudan to take into account the recommendations made by the Committee with a view to reviewing existing legislation in order to bring it into conformity with the Convention. In this regard, the Committee welcomes the State party's decision to establish a committee to review national laws pertaining to children and that its preliminary observation in the area of the abolition of the punishment of flogging (see para. 119 above) has been taken into account by the reviewing committee.

188. Additionally, the Committee notes with satisfaction the initial steps taken by the State party to develop monitoring and follow-up mechanisms for the implementation of the Convention.

189. The Committee welcomes the positive steps taken recently by the Government to improve its cooperation with international intergovernmental and non-governmental organizations. The Committee notes with satisfaction the recent agreements concluded between the parties concerned with a view to improving the provision of humanitarian assistance.

190. The Committee acknowledges the contribution made by the Sudanese people in accepting and offering refuge to persons, including children, coming from neighbouring countries.

(c) Factors and difficulties impeding the implementation of the Convention

191. The Committee recognizes that natural and man-made disasters have had a negative impact on efforts by the State party to ensure full implementation of the Convention. In this regard, the Committee notes the problems caused by civil war in the south of the Sudan and that the different groups involved in this conflict have often disregarded the best interests of the child.

192. The Committee takes note of the seriousness of the economic situation facing the Sudan and the debilitating effect this has had on the situation of children.

(d) Principal subjects of concern

193. The Committee considers that several of the concerns it raised previously with regard to the implementation of the Convention in the State party (see CRC/C/15/Add.6) still remain to be addressed effectively. In this regard, the Committee emphasizes that it remains very much concerned about the non-compatibility of Sudanese legislation relating to the rights of the child with the principles and provisions of the Convention.

194. The Committee is concerned at the lack of training on the rights of the child given to personnel working with children.

195. The Committee expresses its deep concern at the insufficient attention paid to the implementation of the general principles of the Convention, namely its articles 2, 3, 6 and 12 and their relationship to the implementation of all the articles in the Convention, including those relating to the civil and political rights of children.

196. The Committee notes the seriousness of the general health conditions prevailing in the Sudan and their detrimental effect on children. It expresses its serious concern at the continuance of traditional practices harmful to the health of women and children, particularly the practice of female genital mutilation. In addition, the Committee draws attention to the plight of disabled children, in view of their particular vulnerability, and the need for effective measures to improve their situation.

197. The Committee continues to be seriously alarmed at the effects of emergency situations on children, as well as at the problems faced by homeless and internally displaced children. Reports on the forced labour and slavery of children give cause for the Committee's deepest concern.

198. The Committee is of the opinion that the system of administration of juvenile justice in the Sudan is not fully compatible with articles 37, 39 and 40 of the Convention and other relevant United Nations standards.

(e) Suggestions and recommendations

199. The Committee encourages the development of mechanisms to monitor and follow up the implementation of the Convention.

200. The Committee expresses the hope that the review of child-related laws will result in the total abolition of flogging.

201. The Committee recommends that the review of national legislation continues to take into account concerns expressed by the Committee with regard to the definition of the child and the age of criminal responsibility. In addition, the Committee suggests that the State party consider introducing enforcement measures to ensure that officials responsible for the implementation of the Convention fulfil their duties effectively.

202. The Committee also recommends that training about child rights should be provided to relevant professional groups such as judges, teachers and social workers.

203. The Committee encourages the Government to continue its cooperation with intergovernmental and non-governmental organizations with a view to improving the effectiveness of measures to alleviate the suffering of children.

204. The Committee recommends that the general principles of the Convention as expressed in its articles 2, 3, 6 and 12 guide the review of national legislation and the development of policies and strategies for ensuring the effective enjoyment by children of all their rights.

205. The Committee also recommends that further efforts be undertaken to raise awareness in order to eradicate traditional practices harmful to the health of women and children. The Committee suggests that the Government and religious and community leaders take an active role in supporting efforts to eliminate the practice of female genital mutilation.

206. The Committee further recommends that attention be given to extending the provision of primary health care and primary education in order to improve the general health and nutritional and educational status of children. In addition, the Committee recommends that future development plans should accord priority to the situation of disabled children.

207. The Committee emphasizes the need for further urgent efforts to improve the protection and promotion of the rights of internally displaced children.

208. The Committee also emphasizes the need to pay urgent and due regard to the reports of forced labour and slavery of children. The Committee believes that international cooperation, particularly technical assistance and advice, could be used to that end.

209. The Committee recommends that the system of administration of juvenile justice be reviewed in order to ensure its compatibility with articles 37, 39 and 40 of the Convention and other relevant United Nations standards.

210. The Committee expresses the hope that improvements in the implementation of the Convention will be forthcoming and appreciates the willingness of the State party to keep it regularly informed of relevant developments.

11. Concluding observations: Costa Rica

211. The Committee considered the initial report of Costa Rica (CRC/C/3/Add.8) at its 91st, 92nd and 93rd meetings (CRC/C/SR.91-93), held on 30 September and 1 October 1993, and adopted at the 103rd meeting, held on 8 October 1993, the following concluding observations.

(a) Introduction

212. The Committee notes with satisfaction the early ratification of the Convention and the timely submission of the initial report of Costa Rica. In particular, the Committee appreciates the comprehensiveness of the report, which contains self-criticism and defines areas for priority action. The Committee, however, notes with regret the lack of information relating to special protection measures, with particular reference to the system of administration of juvenile justice.

213. The Committee expresses its appreciation to the delegation which presented the report for providing helpful additional information and for facilitating an open and constructive dialogue.

(b) Positive aspects

214. The Committee welcomes the commitment shown by the Government of Costa Rica in undertaking its obligations under the Convention. That commitment is reflected in the efforts of the Government to establish implementation mechanisms, to evaluate the existing situation and to identify factors and difficulties impeding the implementation of the Convention. In particular, the Committee welcomes the establishment of special entities aimed at coordinating policies and activities for children. This should hopefully facilitate the collection of relevant data and potentially foster a more integrated and dynamic approach to the implementation of the Convention.

215. The Committee also notes with satisfaction efforts to create greater public awareness of the Convention; the importance attached to children's rights advocacy and training for professional groups working with children; and efforts to educate children with respect to the Convention and encourage their participation in the implementation process.

(c) Factors and difficulties impeding the implementation of the Convention

216. The Committee notes that owing to economic factors, including pressures resulting from external debt, there has been a restructuring of the Government's budget with the result that fewer resources have been available for social welfare programmes.

(d) Principal subjects of concern

217. The Committee expresses its concern at the fact that legislation relevant to the application of the Convention is not only dispersed, but sometimes contradictory. Similarly, there are many programmes focused on specific areas of the Convention that are not yet coordinated. This inadequate legal harmonization and policy coordination has resulted in a limited capacity to enforce existing measures.

218. The Committee expresses its concern at the impact of economic adjustment policies. In particular, the Committee notes that, with the cuts in allocations in the social sector, the basic welfare of the children who are most vulnerable, such as abandoned children, children living in extreme poverty and children of disadvantaged groups, may not be adequately protected. As a consequence, many of Costa Rica's past achievements in the areas of health, education, welfare and social stability would appear to be seriously threatened.

219. The Committee notes that there have been alarming tendencies in recent years of increasing problems concerning vulnerable children, such as discrimination against the girl child and sexual abuse, including incest, and other forms of violence perpetrated against children. In this connection, the Committee notes that there has not always been adequate enforcement of existing legislation nor have public education activities been sufficiently focused on those problems.

220. The Committee notes the high number of domestic and international adoptions of Costa Rican children. It also notes the high number of teenage pregnancies as a result of early sexual activity, which is symptomatic of underlying social problems.

(e) Suggestions and recommendations

221. In order to apply more effectively all of the provisions of the Convention, the Committee recommends that laws and regulations concerning the rights of the child be harmonized.

222. Information and statistical data to be used for evaluating progress in implementing the Convention should be standardized and compiled systematically.

223. With respect to economic adjustment policies, the Committee recommends that the Government undertake a thorough review of the impact of these policies with a view to identifying ways to ensure adequate protection for children, in particular the disadvantaged and vulnerable ones, in the light of articles 2, 3

and 4 of the Convention. Necessary support should be given to strengthen the family environment for such children.

224. The Committee emphasizes that the best interests of the child must be the guiding principle in the application of the Convention, especially with regard to labour legislation and adoption. In the framework of the adoption process, due consideration should be given to the provisions of article 12 as regards respect for the views of the child.

225. The Committee recommends that measures should be taken in conformity with the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) and that action in this regard should be focused especially at the community and family levels. In this connection, the Committee also emphasizes the necessity of ensuring adequate training for law enforcement officials, social workers and other professionals who work with vulnerable children and youth at risk. A comprehensive system for the administration of juvenile justice should be developed in accordance with articles 39 and 40 of the Convention and the safeguards required under the Convention concerning children in conflict with the law should be assured.

226. The Committee encourages the Government to intensify its information and advocacy campaigns at the community and family levels. The Committee therefore suggests that efforts should be made to widen educational campaigns to focus on gender discrimination and the role of parents, particularly with respect to the prevention of violence and abuse in the family and the problems associated with early marriage and early pregnancy.

12. Preliminary observations: Rwanda

227. The Committee began consideration of the initial report of Rwanda (CRC/C/8/Add.1) at its 97th and 98th meetings (CRC/C/SR.97-98), held on 5 October 1993, and adopted at the 103rd meeting, held on 8 October 1993 the following preliminary observations.

228. The Committee appreciates the willingness of the Government of Rwanda to present a report to the Committee and to engage in a dialogue with it, especially in view of the serious difficulties faced by the State party in recent years. The Committee, having considered the information contained in the initial report and the oral replies to the questions raised, decides to recommend to the State party that it prepare a new and more comprehensive initial report, in accordance with the Committee's guidelines on reporting (CRC/C/5) and the comprehensive list of issues previously transmitted to the State party. The Committee also suggests that the new report should take into account the points raised during its dialogue with the delegation.

229. The Committee wishes to draw attention to the provisions of article 45 (b) of the Convention relating to technical advice and assistance in the context of the preparation of the report by the State party.

230. The Committee suggests that the State party consider establishing a national coordinating committee or similar mechanism composed of members of different ministries and bodies dealing with matters relating to the implementation of the rights of the child, including budgetary resources, which could also assist in the preparation of the report.

231. In view of recent developments in Rwanda, the Committee would welcome the preparation of the new report in the light of the changing realities. The Committee considers that such a report would permit it to engage in a more constructive and fruitful dialogue with the State party and requests that the report be submitted to it within one year with a view to the resumption of the Committee's dialogue with representatives of the State party.

13. Concluding observations: Mexico

232. The Committee considered the initial report of Mexico (CRC/C/3/Add.11) at its 106th and 107th meetings (CRC/C/SR.106-107), held on 11 January 1994, and adopted at the 130th meeting, held on 28 January 1994, the following concluding observations.

(a) Introduction

233. The Committee notes with satisfaction the early ratification of the Convention and the timely submission of the initial report of Mexico. In particular, the Committee appreciates the comprehensiveness of the report, which contains detailed information on the legal framework within which the Convention is implemented. The Committee, however, notes with regret the lack of information on the factors and difficulties impeding the implementation of the various rights recognized in the Convention, as well as the insufficiency of information on the concrete effects of measures adopted.

234. The Committee welcomes the written information provided by the Government in reply to the questions set out in the list of issues (CRC/C/4/WP.3), which were communicated to it before the session. Furthermore, the supplementary information provided by the delegation and its knowledge of matters connected with the Convention made it possible to engage in an open and constructive dialogue. The Committee also notes with appreciation the fact that replies to a number of questions raised during the dialogue were sent in writing to the Committee shortly after the consideration of the report.

(b) Positive aspects

235. The Committee welcomes the efforts made by the State party in bringing domestic law into line with the Convention, through the enactment of new laws, the amendment of the Constitution and the adoption of programmes specifically aimed at promoting and protecting the rights of the child. Among these achievements was the adoption, following the World Summit for Children in 1990, of the National Programme of Action, which focused on the areas of health, education, basic sanitation and assistance to minors in especially difficult circumstances as well as the periodical evaluation of the National Programme of Action. Other welcome developments are the adoption of the Law on the Treatment of Juvenile Offenders and the incorporation in the Constitution of the right of everyone to education through the amendment of its articles 3 and 31. The Committee also notes with interest the various activities undertaken by the National Human Rights Commission in the field of children's rights as well as the adoption of the National Development Plan and the Solidarity Programme aimed at solving the serious economic and social problems encountered by the country.

236. The Committee also notes with satisfaction the serious efforts undertaken to inform children with respect to the Convention and to encourage their participation in the implementation process through various innovative means.

(c) Factors and difficulties impeding the implementation of the Convention

237. The Committee takes note of the existing disparities in the country and the difficult economic and social situation of Mexico, characterized by a high level of foreign debt, the inadequacy of budgetary resources earmarked for essential social services benefiting children and the unequal distribution of the national wealth. These difficulties severely affect children, particularly those living in poverty and children belonging to minority groups or indigenous communities. The Committee also notes that the high level of violence in the society and within the family and the recent political violence connected with the uprising in the State of Chiapas have a considerable negative impact on the situation of children in Mexico.

(d) Principal subjects of concern

238. The Committee expresses its concern at the fact that laws and regulations relevant to the enforcement of the rights of the child are not always compatible with the provisions of the Convention. It regrets that there is no provision in the national legislation relating to the best interests of the child or the prohibition of discrimination against children. Mere reference in the report to the Convention as being the "Supreme Law of the Land", pursuant to article 133 of the Constitution, should not preclude the Government from taking the necessary steps to fully harmonize national legislation with the provisions of the Convention, namely in the light of article 4 of the Convention. Similarly, the National Programme of Action adopted in 1990 and its enforcement machinery, based on the targets identified by the World Summit for Children, do not fully take into account the particularities of the Convention. Furthermore, similarly to the National Programme of Action adopted in 1990 and its enforcement machinery based on the targets identified by the World Summit for Children, a monitoring mechanism should be established to follow the implementation of the Convention.

239. The national legislation and practice should take into full consideration, in the light of article 5 of the Convention, the capacity of the child to exercise his or her rights, namely, in the field of citizenship.

240. The Committee expresses its concern at the unequal distribution of the national wealth in the country and the disparities and discrepancies in the enforcement of the rights provided for under the Convention between the different regions of the country, to the detriment of rural children and children belonging to minorities or indigenous communities.

241. The Committee is troubled by the great number of complaints of ill-treatment of children attributed to the police and security or military personnel and is disturbed by the failure to take effective steps to punish those found guilty of such violations or to make public eventual punishments; this may lead to a feeling on the part of the population that impunity prevails and that it is therefore useless or dangerous to bring complaints before the competent authorities. The Committee is also preoccupied by the existence on a large scale of child abuse and violence within the family.

242. The Committee is worried at the lack of implementation, in practice, of the provisions of the Convention and domestic legislation relating to the administration of juvenile justice and the treatment of young offenders.

243. The Committee is alarmed at the large number of children who have been forced, in order to survive, to live and/or work in the streets. The

exploitation of children as migrant workers is also of deep concern. Domestic law and its application in practice do not appear to be in conformity with the provisions of the Convention and relevant conventions of the International Labour Organization relating to the employment of minors.

244. A large percentage of children living in difficult circumstances, in particular children belonging to minorities or indigenous communities, appear to have left school without having been able to complete their primary education.

245. The Committee also notes with concern the high number of international adoptions of Mexican children.

(e) Suggestions and recommendations

246. The Government must take all necessary steps, in all areas, to ensure the respect and actual implementation of the provisions contained in national legislation relating to the rights of the child. Furthermore, the Committee recommends that the State party take necessary steps to fully harmonize federal and State legislation with the provisions of the Convention. Principles relating to the best interests of the child and the prohibition of discrimination in relation to children should be incorporated into domestic law, and it should be possible to invoke them before the courts. Relevant mechanisms should also be set up, parallel to those deriving from the National Programme of Action, to monitor the implementation of the Convention at the federal, state and local levels. Coordination between the various levels of the administration, as well as cooperation with non-governmental organizations involved in the implementation of the Convention and the monitoring thereof, should be strengthened.

247. The Committee emphasizes that the best interests of the child must be a guiding principle in the application of the Convention and that the authorities should undertake all appropriate measures to the maximum extent of their available resources to ensure that sufficient resources are allocated to children, particularly children living and/or working in the streets, children belonging to minority groups or indigenous communities and other vulnerable children.

248. The Committee recommends that the State party should intensify its action against all violence resulting in cases of ill-treatment of children, in particular when committed by members of the police force and security services and the military. The State party should ensure that cases of crimes committed against children by members of the armed forces or the police are tried before civilian courts.

249. The Committee recommends that urgent measures be adopted to combat discrimination against children belonging to the most vulnerable groups, in particular children subject to abuse or violence within the family, children living and/or working in the streets and children belonging to indigenous communities, including measures to eliminate and prevent discriminatory attitudes and prejudices such as those based on gender. In the framework of the adoption process, due consideration should be given to the provisions of article 12 of the Convention. Furthermore, intercountry adoption should be considered in the light of article 21, namely, as a measure of last resort.

250. Finally, the Committee recommends that the provisions of the Convention should be widely publicized among the general public and, in particular, among teachers, social workers, law enforcement officials, the staff in correctional

facilities, judges and members of other professions who are concerned with the implementation of the Convention. The Committee further recommends that, in the light of article 44, paragraph 6, of the Convention, the report submitted by the Government be made widely available to the public at large, including non-governmental organizations, and that the publication of the report be considered, along with the relevant summary records and the concluding observations thereon adopted by the Committee.

14. Concluding observations: Namibia

251. The Committee considered the initial report of Namibia (CRC/C/3/Add.12) at its 109th and 110th meetings (CRC/C/SR.109-110), held on 13 January 1994, and adopted at its 130th meeting, held on 28 January 1994, the following observations.

(a) Introduction

252. The Committee welcomes the ratification of the Convention by the Government of Namibia. The Committee also wishes to express its appreciation to the State party for the particularly detailed and comprehensive report prepared and for the frank and constructive dialogue with the delegation.

(b) Positive aspects

253. The Committee welcomes the political commitment within the country to improve the situation of children. The Committee also wishes to express its appreciation as regards the Government's willingness to be self-critical and to search for creative and innovative approaches to address the problems facing children in society. The Committee takes particular note of the following initiatives: the activities undertaken to promote greater public awareness of the rights of the child, including among children themselves; the encouragement of cooperation with the local, national and international communities in efforts to promote and protect the rights of the child; the Early Childhood Protection and Development Programme; the "street children" programme; the Discipline from Within Programme in the schools; and the development of Youth Councils. With regard to the last two programmes, the Committee underlines their importance in respect of the possible measures to be taken to make a reality of various provisions of the Convention, particularly its article 12.

254. The Committee also notes with interest the suggestion that more vocational schools be established to try to reduce the level of school drop-outs.

(c) Factors and difficulties impeding the implementation of the Convention

255. The Committee takes note that Namibia became an independent State in 1990 having suffered the consequences of colonial administration, apartheid and war. The Committee recognizes that these factors, combined with the problems of poverty, have had a constraining influence on the implementation of the provisions of the Convention. In particular, the Committee draws attention to the legacy of laws from the pre-independence period that are contrary to the provisions of international instruments and the Namibian Constitution.

(d) Principal subjects of concern

256. The Committee observes that Namibia is not yet a State party to all the major international human rights instruments and is concerned that the reform of

much national legislation remains to be undertaken to bring it into conformity with the provisions of the Convention on the Rights of the Child. In this connection, the Committee notes the contradictions to be found in national legislation with respect to the definition of the child.

257. The Committee is concerned at the extent of discrimination on the ground of gender as well as against children born out of wedlock and children in especially difficult circumstances. It also expresses concern at the discrimination practised against children with disabilities.

258. Certain phenomena that may have a possible negative impact or consequence on the situation of children, such as teenage pregnancies, the high incidence of households headed by a single person and the apparent lack of widespread understanding among parents of their joint parental responsibilities, are of concern to the Committee.

259. The Committee also takes note of the problems involved with improving the quality of education.

260. Equally, the Committee is concerned at the situation of children in especially difficult circumstances, including the incidence of child labour, particularly on farms and in the informal sector, and the number of children dropping out of school.

261. As regards the system of juvenile justice in place in Namibia, the Committee is concerned as to its conformity with the Convention on the Rights of the Child, namely its articles 37 and 40, as well as with relevant international instruments such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

(e) Suggestions and recommendations

262. The Committee recommends that consideration be given to the possibility of Namibia becoming a party to all the major international human rights instruments, and suggests that the State party may wish to request assistance from the United Nations Centre for Human Rights in this regard.

263. Equally, the Committee suggests that the State party fully integrate the Convention on the Rights of the Child into the national legal framework and into national plans of action for the implementation of the rights of the child. Moreover, the Committee recommends the early adoption of a new Children's Act that will take fully into account the principles and provisions of the Convention on the Rights of the Child and observations made by the Committee during its dialogue with the State party.

264. While noting with satisfaction the establishment of an Ombudsman's Office which has a mandate to deal with complaints of human rights violations, including those relating to children, the Committee suggests that the State party evaluate the work of the present Ombudsman's Office to protect the rights of the child with a view to determining whether any further measures would be required to support the Office in its endeavours to contribute to the implementation of the rights of the child.

265. The Committee notes the important role being played by community leaders in efforts to improve the implementation of the rights of the child, particularly in order to overcome the negative influences of certain traditions and customs

which may contribute to discrimination against the girl child, children suffering from disabilities and children born out of wedlock. The Committee also encourages the State party to continue to fully involve civil society and non-governmental organizations in activities to promote and protect the rights of the child.

266. Concerning the implementation of the rights of children to participate and express their views, the Committee is interested in receiving more information in the State party's next report on the functioning of the Youth and School Councils and on their involvement in any initiatives to address problems facing children and youth.

267. The Committee notes the clear recognition by the Stat party of the problems facing children in the family situation and the need to develop programmes, such as the training of social workers, education in family planning and the establishment of an alcohol and drug abuse centre, to address these problems. It also suggests that research be undertaken on the issue of sexual abuse within the family context.

268. With regard to educational matters, the Committee encourages the development of the initiative to provide more training to schoolteachers as a means to improve the quality of education and provide an opportunity to raise awareness within this profession of the rights of the child.

269. The Committee recommends that the study on marginalized groups of children be undertaken as a matter of priority.

270. The Committee is of the opinion that the system of the administration of juvenile justice in the State party must be guided by the provisions of articles 37 and 40 of the Convention on the Rights of the Child as well as relevant international standards in this field, including the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. Moreover, it is suggested that measures be taken to train law enforcement officials, judges, personnel working in detention centres and counsellors of young offenders about international standards for the administration of juvenile justice. The Committee underlines the need for technical assistance programmes in the light of these recommendations and encourages the State party to continue its cooperation with the Centre for Human Rights, the Crime Prevention and Criminal Justice Branch of the United Nations Secretariat and UNICEF in this regard.

271. The Committee also recommends that the State party ensure that its policy and legislation on the issue of child labour is in conformity with the provisions of the Convention on the Rights of the Child and relevant ILO conventions.

272. Furthermore, the Committee suggests that the State party undertake measures and programmes to educate the general public on parental responsibilities and to consider the possibility of providing counselling in this regard. In addition, the Committee recommends that the State party, in its efforts to further disseminate awareness of the Convention on the Rights of the Child, make widely available, by appropriate means, the State party report, the summary records and the concluding observations of the Committee.

15. Preliminary observations: Colombia

273. The Committee began consideration of the initial report of Colombia (CRC/C/8/Add.3) at its 113th, 114th and 115th meetings (CRC/C/SR.113-115), held on 17 and 18 January 1994. In view of the fact that it was not possible during the session to fully clarify a number of serious concerns about the implementation of the Convention, the Committee decided to continue consideration of the initial report of Colombia at a future session and adopted at the 130th meeting, held on 28 January 1994, the following preliminary observations. In this connection, the Committee requests the State party to provide it with written answers to the questions set out in the list of issues (CRC/C.5/WP.2) which had been formally transmitted to the State party. Equally, the Committee requests the State party to provide it with additional information on particular areas of concern identified by the Committee, as set out in section (d) below. The Committee recommends that the information requested be submitted by 28 February 1994.

(a) Introduction

274. The Committee expresses its appreciation to the State party for the submission of its initial report and takes note of the information contained in the report, particularly with regard to the steps taken to provide a legislative framework for the implementation of the Convention. The Committee regards its preliminary dialogue with the State party to have been fruitful and as one which was undertaken in a cooperative spirit. The Committee, however, regrets that it was not given sufficient information regarding the actual situation of children in Colombia or on specific measures being taken at present to protect vulnerable groups at grave risk.

(b) Positive aspects

275. The Committee welcomes the major legislative initiatives adopted with a view to providing a legal framework for the implementation of the Convention, namely the adoption of the Minors' Code and the references to the rights of the child contained in the revised Constitution. The Committee also welcomes the steps taken by the Government towards creating special mechanisms for the implementation of the Convention, such as the Inter-Agency Committee for the Defence, Protection and Promotion of the Human Rights of Children and Young People and the Office of the President's Programme for Youth, Women and the Family. The Committee also welcomes in this connection the efforts made to facilitate the participation of non-governmental organizations in the implementation process.

276. The Committee notes the progress which has been made over the last 10 years in lowering the infant mortality rate. The Committee also welcomes the formulation by the State party of a National Plan of Action and the setting of concrete goals as a follow-up to the World Summit for Children.

(c) Factors and difficulties impeding the implementation of the Convention

277. The Committee takes note that Colombia is going through a difficult economic transition period and is facing serious political problems stemming from drug-related terrorism, violence and poverty. The Committee takes note of the disparities existing in the country at the economic and social levels.

(d) Principal subjects of concern

278. The Committee expresses its concern over the significant gap between the laws adopted to promote and protect the rights of the child and the practical application of those laws to the actual situation of a great number of children in Colombia. The Committee is concerned at the lack of sufficient coordination of the various efforts to implement the Convention. The Committee is also concerned about discriminatory and adverse social attitudes, particularly among law enforcement officials, towards vulnerable groups of children.

279. The Committee expresses its grave concern over the life-threatening situation faced by an alarming number of children in Colombia, particularly those who, in order to survive, are working and/or living in the streets. Many of those children are subject to arbitrary arrest and torture and other inhuman or degrading treatment by authorities. They are also subject to coercion, disappearance, trafficking and murder by criminal groups.

280. The Committee expresses its grave concern over the large proportion of Colombian children who continue to live in extreme poverty despite the fact that Colombia has one of the most favourable economic growth rates and one of the lowest amounts of per capita foreign indebtedness in the region. Many children in Colombia, including a large proportion of rural and indigenous children, have been economically and socially marginalized and have limited or no access to adequate education or health care services.

281. The rules on the minimum age of employment are below international standards and even then are not enforced. Hazardous child labour, including in mines, is a matter of the deepest concern.

(e) Preliminary suggestions

282. The Committee suggests that firm measures be taken urgently to ensure the right to survival for all children in Colombia, including those from vulnerable groups. Such measures should include a quick response to reports of and complaints from children who are victims of violence, disappearance, assassination or alleged organ trafficking. Thorough and systematic investigation should be carried out and severe penalties applied in cases involving violence against children. The outcome of investigations and cases of convictions should be widely publicized in order to deter future offences.

283. The Committee suggests that, in order to increase the coverage and quality of services for children and to include those from vulnerable groups, more substantial budgetary allocations be provided to services for children, particularly in the areas of education and health, namely in the light of articles 2 and 3 of the Convention.

284. The Committee suggests that reliable quantitative and qualitative information be systematically collected and analysed to monitor closely the situation of marginalized children, particularly those from indigenous groups, in order to guide further efforts to improve their situation.

285. In regard to the problems of working children, the Committee suggests that Colombia ratify ILO Convention No. 138 concerning the minimum age for admission to employment and review all relevant legislation with a view to bringing it up to minimum international standards. Child labour laws should be enforced, complaints should be investigated and severe penalties imposed for violations. The Committee suggests that the Government more actively enlist the support of

NGOs and other private sector organizations in raising public awareness of the problem and in monitoring enforcement of the laws.

286. In the field of the administration of juvenile justice, greater efforts should be made to ensure respect for the standards and legal safeguards contained in the Convention, in particular in the light of articles 37, 39 and 40 and taking into due consideration other relevant international instruments adopted in this field by the United Nations. Furthermore, the Committee suggests that all children deprived of their liberty should be registered and closely monitored in order to ensure that they are afforded the protection provided by the Convention.

287. The Committee suggests that steps be taken to strengthen the educational system, particularly in the rural areas. The quality of teaching should be improved and the high number of school drop-outs should be reduced. Counselling services for youth should be developed as a preventive measure aimed at lowering the high incidence of teenage pregnancies and stemming the dramatic rise in the number of single mothers. Educational campaigns should be undertaken to reduce violence in society and in the family and to combat prejudice on the basis of gender.

288. To assess the implementation of the Convention and to narrow the gap between the law and its practice, the Committee suggests that the State party establish a mechanism to monitor the actual situation of children, particularly those from vulnerable groups. Given the seriousness of the problem, the Committee suggests that the State party seek closer cooperation with international agencies which may be able to provide assistance and expertise and to embark upon major reform in the problem areas identified by the Committee. The Committee suggests that a new attitude and approach be developed, particularly as regards the police and the military, in order to enhance respect for all children, regardless of their social, economic or other background, and to reaffirm their value. In this connection, information and training programmes should be strengthened at the level of the community and the family. Further measures should be envisaged to strengthen cooperation with NGOs aiming at greater social mobilization on behalf of the rights of the child.

16. Concluding observations: Romania

289. The Committee considered the initial report of Romania (CRC/C/3/Add.16) at its 120th to 122nd meetings (CRC/C/SR.120-122), held on 20 and 21 January 1994 and adopted at its 130th meeting, held on 28 January 1994, the following concluding observations.

(a) Introduction

290. The Committee expresses its appreciation to the State party for submitting, prior to the session, written replies to its list of issues (CRC/C.4/WP.5) and for engaging in a fruitful dialogue with the Committee.

(b) Positive aspects

291. The Committee welcomes measures undertaken by the Government of Romania, since the entry into force of the Convention in 1990, in order to promote and protect children's rights. It notes the establishment of such governmental agencies as the Central Committee for the Orientation and Coordination of Activities on Behalf of Minors, the Committee for the Support of Child-care

Institutions and the Romanian Adoption Committee. Of particular importance was the creation, in February 1990, of the Romanian National Committee for UNICEF and in 1993 of the National Committee for the Protection of the Child. The Committee also notes with satisfaction that a number of laws have been amended or supplemented and that new legislation has been drafted in order to bring domestic laws into conformity with the provisions of the Convention.

292. The Committee notes that the Government of Romania has committed itself to a policy of bringing institutionalized children into a family environment. Efforts have been made to protect the value of the child allowance. A programme for the education of social workers has been initiated.

293. The Government has demonstrated willingness and readiness to cooperate with various intergovernmental and non-governmental organizations active in the field of the rights of the child.

(c) Factors and difficulties impeding the implementation of the Convention

294. The reform of certain laws, policies and institutions in place before the ratification of the Convention had to be undertaken in order to allow for its effective implementation. Difficulties have also been caused by prejudices, intolerance and other popular attitudes in contradiction with the general principles of the Convention. The Committee further notes the problems related to the transition economy and that the situation of children has worsened as a consequence of growing poverty and increasing unemployment.

(d) Principal subjects of concern

295. The Committee is worried about the effect on children of the difficult economic situation prevailing in the country. In this connection, the Committee is particularly concerned as to whether there are adequate measures to protect children from being the victims of economic reform, in the light of articles 3 and 4 of the Convention. The rights and basic needs of all children in the country should also be taken into account during the process of decentralization and privatization.

296. The Committee is concerned about the insufficient steps taken in the framework of legal reform to bring existing legislation into full conformity with the Convention, including in the light of the basic principles of the Convention, in order to overcome existing discrepancies such as the one reflected in the present law on marriage age. The Committee is equally concerned about existing lacunae in national legislation that may hamper efforts to implement the Convention. The various legislative and administrative measures undertaken to ensure implementation seem not to have been sufficiently coordinated and streamlined.

297. The Committee is concerned at the occurrence of child abuse and neglect within the family and the disruption of family values, which in some cases lead to children being abandoned or running away. Children in such families are vulnerable to sexual abuse, drug abuse and alcoholism. The growing number of children living and/or working in the streets is a matter of deep concern.

298. The Committee is concerned about the situation of children of minorities, especially within the context of articles 2, 28, 29 and 30 of the Convention. The low school attendance of the Roma (gypsy) group of children is a serious problem. In more general terms, the Committee finds that there is a need for more effective measures to combat prejudices against this minority.

299. The Committee is also concerned at the lack of adequate training of social workers, law enforcement officials and judicial personnel on the principles and provisions of the Convention.

(e) Suggestions and recommendations

300. The Government should regularly monitor the impact of the structural adjustment programmes on children and take adequate measures for their protection.

301. The Committee also recommends that a more coherent approach be taken by the Government in implementing the Convention, particularly in assuring better coordination between the various mechanisms and institutions already in place to deal with promotion and protection of the rights of children. Of great importance, in that context, is the establishment of an appropriate structure at the local level and the coordination of efforts undertaken at the local and national levels.

302. Special efforts should be made to bring the existing legislation fully into line with the provisions of the Convention and thereby take into account the principles of non-discrimination, the best interests of the child, and respect for the views of the child, as in the case of labour legislation. The Family Code of 1954 needs to be revised in the light of the Convention.

303. The Committee considers that greater efforts should be made to provide family education, to develop awareness of the equal responsibilities of parents and to disseminate widely knowledge about modern methods of family planning and thereby reduce the practice of abortion.

304. The Committee suggests that research be undertaken on the issue of child abuse and neglect within the family.

305. The Committee recommends that personnel dealing with children be provided with adequate training in the basic principles and norms contained in the Convention on the Rights of the Child. Special training should be given to social workers in recognition of the importance of this profession.

306. The legislation on adoption should be further amended and enforced to effectively prevent, in particular, intercountry adoptions in violation of the spirit and letter of the Convention on the Rights of the Child and taking into account the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993, namely, in view of the statement made by the delegation of the Government of Romania as to its intention to ratify this Convention.

307. Further efforts are recommended to create a better understanding among the public about the situation of children with disabilities. The promotion of their rights should be further advanced through, for instance, support to parents' organizations and a sustained programme for moving children from institutions to a good family environment.

308. The system of administration of juvenile justice should be guided by the provisions of articles 37 and 40 of the Convention on the Rights of the Child as well as other relevant international standards such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. The Committee suggests that part of the training of the law enforcement personnel, judges and other administration of justice

officials be devoted to an understanding of these international standards of juvenile justice.

309. The Government should adopt an active non-discrimination policy with respect to children of minorities. This would also, particularly in relation to the Roma population, require proactive measures to encourage participation and break a vicious circle of widespread prejudices resulting in hostility or neglect. The problem of low school attendance among children from the Roma minority should be urgently addressed.

310. The Committee also recommends that the report submitted by the State party, the summary records of its consideration and the concluding observations of the Committee be disseminated as widely as possible within the country. These documents might also serve the discussion about further steps towards systematic mechanisms to monitor and promote the implementation of the Convention.

311. The State party is encouraged to continue its cooperation with the Centre for Human Rights in the field of advisory services and technical assistance and with the support of the international community to strengthen further the child rights component in such programmes, and to that end due account should be taken of the recommendations and suggestions contained in these observations.

17. Concluding observations: Belarus

312. The Committee considered the initial report of Belarus (CRC/C/3/Add.14) at its 124th to 126th meetings (CRC/C/SR.124-126), held on 25 and 26 January 1994, and adopted at the 130th meeting, held on 28 January 1994, the following concluding observations.

(a) Introduction

313. The Committee welcomes the ratification of the Convention by the Government of Belarus. The Committee appreciates the opportunity to engage in a dialogue with the State party and its efforts to provide further information to that contained in the initial report of Belarus submitted under the Convention.

(b) Positive aspects

314. The Committee observes that Belarus is a State party to all the major international human rights instruments. Note is also taken of the recent adoption by the State party of the Rights of the Child Act and other legislative and administrative measures in an effort to address the problems facing children, which serve as an indication of the importance the State party attaches to its obligations under the Convention.

315. The Committee also notes the State party's willingness to seek advice and technical assistance in developing appropriate mechanisms to implement the rights of the child.

(c) Factors and difficulties impeding the implementation of the Convention

316. The Committee recognizes that the State party is facing serious obstacles in implementing the provisions of the Convention. It notes that significant political changes have had an impact on the legislative system and on society in general. The Committee further notes the problems related to the transition economy and that the situation of children has worsened as a consequence of

growing poverty and increasing unemployment. The Committee also recognizes that the State party is experiencing major difficulties in countering the negative consequences of the Chernobyl nuclear plant disaster on the environment and on the health of the population, including children.

(d) Principal subjects of concern

317. The Committee expresses its concern as to the full compatibility of national legislation, measures and programmes with the provisions and principles of the Convention, especially as regards such matters as children as the subjects of rights, family education and equal parental responsibilities. Moreover, the Committee is concerned about an apparent discrepancy in the legislation between the age for completion of mandatory education, which is 15, and the minimum age for labour, which is 16.

318. The Committee is concerned as to whether the most disadvantaged groups of children in the society have been identified and programmes targeted accordingly to ensure that adequate safety nets are in place to prevent a deterioration of the rights they are entitled to under the Convention. The situation of rural children is also a matter of general concern.

319. The Committee is concerned about the continuation of the practice of the institutionalization of children in spite of the policy adopted to the contrary and about the number of intercountry adoptions, which, though still comparatively low, is on the increase.

320. The Committee expresses its concern at the health status of children, particularly in the aftermath of the Chernobyl nuclear disaster, the apparent priority given to curative health care rather than decentralized preventive health care, the low prevalence of breast-feeding and the high number of abortions.

321. As regards children requiring special protection measures, the situation in relation to the administration of juvenile justice is a matter of general concern to the Committee. The Committee is also concerned that adequate measures are not being taken to protect children from exploitation through labour, the appearance of the problem of sexual exploitation of children and the problem of drug abuse.

(e) Suggestions and recommendations

322. The Committee recommends that the State party consider the possibility of establishing a permanent body to coordinate the implementation and monitoring of the rights of the child. It is also recommended that the State party prepare, as a matter of priority, a national plan of action for children. The Committee would like to see the provisions and principles of the Convention fully integrated into this plan, particularly its articles 2, 3, 4, 6 and 12.

323. The Committee would also like to see a considerably stronger involvement of non-governmental organizations in the work of protecting and promoting the rights of the child.

324. The Committee expresses the hope that the State party will become a party to the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993, as well as the Hague Convention on the Civil Aspects of International Child Abduction of 1980. Equally, the Committee recommends the early adoption of the Family and Marriage Law and that it take

account of the need to undertake appropriate measures to address the serious problems of family breakdown in the State party.

325. The Committee would like to see a stronger emphasis placed on primary health care activities, which would include the development of educational programmes to cover such matters as family education, family planning, sex education and the benefits of breast-feeding. Equally, the Committee encourages the training of community health care workers to develop awareness of these subjects among the general public, including children. In addition, the Committee recommends that programmes of rehabilitation and reintegration for emotionally disturbed or traumatized children be developed.

326. The Committee recommends that the State party evaluate the adequacy of the measures it has taken to provide social security for the benefit of children. It is also suggested that programmes be carefully targeted to the needs of both rural and urban children and that adequate social safety nets be put in place for the most disadvantaged groups of children.

327. In view of the significant risk of the exploitation of children through labour, particularly in the light of recent changes to national legislation, the Committee suggests that this matter be urgently addressed and that the necessary action be taken in line with the Convention and in particular its article 3 as it relates to the best interests of the child.

328. The Committee recommends that the State party, in its efforts to develop general public awareness of the Convention on the Rights of the Child, make available the State party's report, the summary records and the concluding observations of the Committee.

329. The Committee encourages the international community to provide technical assistance and advice to the State party in its efforts, inter alia, to harmonize national legislation and measures with the Convention on the Rights of the Child, to develop a coordinating body on children's rights and to determine the targeting of programmes, the major thrust of policies and the mobilization of resources for the rights of the child. It is suggested that technical assistance be sought from UNICEF, WHO, the Centre for Human Rights and other interested organizations. The Committee also encourages international support for measures to cope with the aftermath of the Chernobyl nuclear disaster.

IV. OVERVIEW OF THE OTHER ACTIVITIES OF THE COMMITTEE

A. Independence of experts

330. In the light of the Convention on the Rights of the Child, namely its article 43, as well as of its provisional rules of procedure (CRC/C/4), in particular rules 11, 14 and 15, the members of the Committee emphasized, at the second session, the importance they attach to the question of the independence of experts. They recalled the provision of the Convention which states that members shall serve in their personal capacity; they reaffirmed that their mandate derives from the provisions and principles of the Convention on the Rights of the Child and that the Committee members are solely accountable to the children of the world. It was pointed out that, although elected by States parties' representatives, members do not represent their country, Government or any other organization to which they may belong. In view of the relevance of this consideration, and in order to ensure the principle of impartiality, the members of the Committee reiterated the desirability of not participating in the Committee's discussions during the examination of the reports submitted by their own Governments. They also recognized that, when acting in the framework of the rights of the child, there is a need to clearly distinguish between their personal or professional role and their role as members of the Committee.

B. Methods of work

1. Organization of work

331. At its forty-seventh session, the General Assembly adopted resolution 47/112 of 16 December 1992 in which, *inter alia*, it approved the organization of the work of the Committee on the basis of two sessions per year, each of up to three weeks' duration, and the establishment of a pre-sessional working group, as had been requested by the Committee at its first session. 6/ At its third session, the Committee welcomed the decision of the General Assembly, while recognizing that in spite of this additional time given to the Committee, in view of the number of States parties to the Convention (128) and the number of reports to be submitted in the light of article 44 of the Convention, further measures would soon be needed.

332. To facilitate the consideration of such measures, the Committee entrusted one of its members with the preparation of a working paper reflecting different possible options for the organization of work of the Committee, in the light of the tasks entrusted to it. The working paper was reproduced as annex VIII to the report of the third session (CRC/C/16) for its further consideration by the Committee.

333. At its fourth session, the Committee reaffirmed its concern at its increasingly heavy workload and, recognizing the need to adopt urgent and adequate solutions to deal with this situation, decided to convene a special session of the Committee in 1994, to be preceded by a meeting of its established working group, to conduct a preliminary review of reports submitted under article 44 of the Convention and to consider questions relating to technical assistance and international cooperation pursuant to article 45 of the Convention (see chap. I.A, fourth session, recommendation 1).

6/ See *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 41* (A/47/41), chap. I, recommendation 1.

334. At its fifth session, the Committee reaffirmed the urgency of holding such a special session, as well as the meeting of the pre-sessional working group, in order to face its workload in an effective and expeditious manner, in the light of the recommendation adopted in that regard by the World Conference on Human Rights (ibid., fifth session, recommendation 2).

335. Also at its fifth session, stressing the unprecedented extent of ratifications to the Convention on the Rights of the Child and of the subsequent submission of States parties reports, and convinced that having an adequate amount of time for the meetings of the Committee is a vital factor in ensuring its continued effectiveness in future years, the Committee decided to request the Secretary-General to convene a Meeting of the States Parties to the Convention, in advance of or during the course of the forty-ninth session of the General Assembly, with a view to reviewing, pursuant to paragraph 10 of article 43 of the Convention, the duration of the meetings of the Committee, and to request States parties to determine that the number of annual sessions of the Committee as from 1995, as well as the number of sessions of its pre-sessional working group be increased to three, subject to the approval of the General Assembly (ibid., recommendation 1).

336. Moreover, the Committee, recalling the importance of dealing with States parties reports without delay in order not to dash the expectations created by the Convention, and recognizing the importance of paying due attention to the field of technical assistance and international cooperation, pursuant to article 45 of the Convention, decided, at its fourth session, to request the Secretary-General to strengthen the support to the Committee and to provide it with a minimum of two additional Professional and one additional General Service posts (see chap. I.B).

2. Informal meetings

337. At its first session, the Committee discussed the importance of organizing informal meetings outside Geneva so as to provide a greater awareness of its work, as well as a more comprehensive understanding of the actual situation of children in the various regions of the world. The Committee expressed the hope that such informal meetings could be organized with the assistance and support of United Nations agencies and organs and other competent bodies active in the field of the rights of the child, and requested its Chairperson, as well as Mr. Bambaran Gastelumendi, one of its Vice-Chairpersons, to work towards the realization of a proposal to hold a seminar on the rights of the child in Latin America in 1992 in cooperation with UNICEF and other possible sponsors. 7/

338. At its second session, the Committee reaffirmed the relevance and usefulness of organizing such informal meetings in different regions of the world and exchanged views on the first regional meeting, held in the Latin American and Caribbean region at Quito in June 1992.

339. The purposes of the meeting, organized by UNICEF with the cooperation of the Centre for Human Rights and support and assistance from United Nations agencies and bodies and other competent bodies active in the field of the rights of the child, were: (a) to provide an opportunity to promote, at the regional level, a greater awareness of the principles and provisions of the Convention and of the role and functions of the Committee in monitoring the implementation of the rights of the child; (b) to enhance international cooperation and joint

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7/ Ibid., para. 17.

efforts between the various bodies which have a role in the implementation of the rights recognized by the Convention; and (c) to enable members of the Committee to acquire a better knowledge and understanding of realities through directly observing in situ the actual situation of children in the region.

340. Members of the Committee were extensively briefed about the economic and political situation in Latin America and the Caribbean as it affects the living conditions and rights of children. Various themes relating to the situation of children were discussed, including health and nutrition, education, child labour, refugee children and the legislative status of minors. The availability of advisory services and technical assistance in the field of human rights was also reviewed. Information was provided on national programmes of action elaborated by Governments in response to the World Summit for Children. A round-table discussion took place with the participation of various non-governmental organizations active in the field of the rights of the child. Children representing children's organizations also participated in the debate and outlined some of the problems they were facing. Field trips to different parts of the country gave members of the Committee the opportunity to visit various community projects in the fields of health, nutrition, education, water and sanitation, as well as projects relating to street children.

341. In assessing the results of the meeting, the Committee expressed its gratitude to UNICEF and to the Government of Ecuador and considered that the objectives of the consultation had been fully achieved. The wide coverage of the meeting by local, national and regional mass media had provided an opportunity for a great mobilization of public opinion in favour of the rights of the child. The meeting had also been the occasion for a valuable exchange of views between Committee members and intergovernmental and non-governmental bodies on how best to secure cooperation and dialogue among all the various bodies concerned with the promotion and protection of the rights of the child. Finally, the regional meeting had enabled Committee members to observe and assess the situation of children in the region through direct contacts with children and their living environment, which had shed light on factors and difficulties encountered and progress achieved in practice in implementing the rights recognized in the Convention.

342. Taking into account the positive results of this first informal regional consultation,. the Committee expressed the hope that similar informal meetings would be organized in the future in other regions and that they would become a regular feature of its activities (see chap. I.C, second session, recommendation 1).

343. Furthermore, the Committee decided to bring to the attention of the fourth meeting of persons charing the human rights treaty bodies the innovative experience of holding informal meetings at the regional level in view of its relevance as a means to promote greater awareness of the Convention on the Rights of the Child and its system of implementation, and to provide the Committee with a deeper knowledge and better understanding of the realities of a region (see chap. I.H, second session, recommendation 5 A).

344. At its third session, the Committee reaffirmed the importance of these regional informal meetings as a contribution to a wider promotion of the rights of the child and decided that its second informal regional meeting, to be organized in close cooperation with UNICEF, should be held at Bangkok during the month of May 1993.

345. At its fourth session, the Committee stressed the decisive role informal regional meetings could play to achieve the universal ratification of the Convention on the Rights of the Child, as well as its effective implementation, as recommended by the World Conference on Human Rights (see chap. I.C, fourth session, recommendation 3).

346. The Committee also had an extensive exchange of views on the informal meeting that had been held in the Asian region from 23 to 29 May 1993.

347. The purposes of that meeting, again organized by UNICEF with support and assistance from the Centre for Human Rights, other United Nations agencies and bodies and other competent bodies active in the field of the rights of the child, were as follows:

(a) To promote, at the regional and subregional level, greater awareness and understanding of the principles of the Convention, increased mobilization for the implementation of its provisions and better knowledge of the role and functions of the Committee in monitoring the implementation of the rights of the child;

(b) To enhance cooperation and integrated efforts between the various organs and bodies which have a role to play in the implementation of the rights provided for in the Convention at the international, regional, national and community levels;

(c) To provide an opportunity for the members of the Committee to observe directly and thus better assess, through on-site visits and contacts, the reality facing children in a specific region.

348. During their stay at Bangkok, members of the Committee were briefed extensively about the political, economic, social and cultural situation in Asia and the Pacific as it affects the implementation of the rights of the child. Through discussions with UNICEF regional advisers, representatives of United Nations agencies and organs, representatives of international and national non-governmental organizations active in the field of child rights, as well as presentations made by children in especially difficult circumstances, various issues relating to the situation of children in the region were outlined, including the rapid changes in societal structures and the high rate of urbanization and industrialization and their effects on children.

349. The major problems faced by children in the region were stressed. These included poverty, the social cost of economic transition, the disruption of family structures and the growing number of female-headed households, the wide gender gap in the field of basic services such as health, nutrition and education, the shortcomings in the field of the administration of juvenile justice. Specific reference was made to children in need of special protection, including the girl child, children affected by armed conflicts, working children including those living in the street, children who are victims of sexual abuse and exploitation, drug-addicted children or children used in drug trafficking, disabled children, HIV-infected children, children born out of wedlock and children belonging to minorities.

350. Members of the Committee were also provided the opportunity to explain to the various participants and to the media the main principles and provisions of the Convention as well as the purpose and work of the Committee. Participants were also given a brief overview of the activities of the Centre for Human Rights in support of the Convention on the Rights of the Child.

351. On 25 May 1993, the members of the Committee were divided into three groups and proceeded to field trips in three different countries of the region (the Philippines, Thailand and Viet Nam), which provided them with an opportunity, through meetings with governmental and non-governmental representatives, members of the judiciary and parliamentarians, representatives of local government and community leaders and members, for an exchange of views on how best to ensure the implementation of the Convention. During field visits, members of the Committee also visited various governmental and non-governmental community projects such as youth and rehabilitation centres within the system of administration of justice, health and multipurpose centres for children living and working in the street, rehabilitation programmes for child prostitutes, education programmes for children at risk, homes for working children, centres for disabled children and income-generating programmes. The fact that the field visits took place in countries expected shortly to submit their reports on the implementation of the Convention, as was the case for Thailand and the Philippines, gave the Committee the opportunity to create greater awareness of the reporting system and its decisive importance in encouraging popular participation and a meaningful national debate on the situation of the rights of the child.

352. On the other hand, the visit to Viet Nam was an effective follow-up to the discussion of the initial report of the State party, giving way to an important evaluation of the impact of the dialogue which the Committee had had at the country level and reaffirming in an encouraging manner the spirit of cooperation and assistance provided for by the reporting system. In this regard, it should be recalled that the visit provided an occasion for Vietnamese officials to formulate a request for the advisory services of the Centre for Human Rights in the field of the administration of juvenile justice, as had been suggested by the Committee during its consideration of the initial report of Viet Nam in January 1993.

353. In assessing the results of the meeting, members of the Committee expressed the opinion that the informal regional meeting and field visits had provided an opportunity for increased advocacy and awareness-raising on the rights of the child at various levels; it had also encouraged better coordination and integration of efforts of various sectors and called for the building or strengthening of the national capacity through adequate mechanisms for child rights implementation. Finally, the regional meeting enabled the Committee to better identify and explain its role as a catalyst for better implementation, at the regional and national levels, of the principles and provisions of the Convention.

354. In close cooperation with UNICEF, the Committee considered the organization in 1994 of an informal regional meeting in Africa. The Committee emphasized that the holding of such a meeting and the possibility of organizing field visits to different countries would be an important step in achieving universal ratification of the Convention on the Rights of the Child by 1995, as well as its effective implementation in the African region.

3. Examination of States parties reports

(a) Country files

355. At its first session, the Committee adopted a recommendation requesting the secretariat to organize country files and to prepare an analytical study of available information concerning each State party whose report is to be

considered by the Committee, taking into account both the reporting guidelines and data emerging from reports that have been submitted by the same State party before other treaty bodies. 8/

356. At its second session, the Committee reiterated the importance of maintaining files of information on each State party, and requested the secretariat to continue organizing country files on each State party whose report is due to be considered by the Committee. The country files should include relevant material compiled from reports submitted by the State party to other treaty bodies, relevant reports submitted to the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities. The same would apply to the material received from the specialized agencies, UNICEF and United Nations and other competent bodies; to this purpose the Committee recognized the need to inform those bodies in advance of the schedule of consideration of State party reports.

(b) Pre-sessional working group

357. At its first session, the Committee agreed that there would be a need for a pre-sessional working group to facilitate its work under articles 44 and 45 of the Convention, primarily by reviewing State party reports and identifying in advance the main questions that would need to be discussed with the representatives of the reporting States. That would facilitate the task of States parties by providing advance notice of the principal issues arising from the examination of their reports and would significantly improve the efficiency of the reporting system. It would also permit the consideration of questions relating to technical assistance and international cooperation. For this purpose, the Committee highlighted the need for establishing a technical advisory group in which United Nations bodies, specialized agencies and other competent bodies would be represented in order to assist the Committee in its tasks, in the spirit of article 45 of the Convention. It was envisaged that the working group would normally meet approximately two months in advance of each session as from 1993.

358. The main purpose of the pre-sessional working group was to identify in advance the main questions that would need to be further discussed with representatives of the reporting States. Such a procedure, as recognized by the Committee at its second session (CRC/C/10, para. 39), would increase the efficiency of the reporting process and facilitate the task of States parties by providing them in advance with a list of the main issues which might be raised during the consideration of their reports. In the same spirit, the Committee decided to encourage States parties to provide it in advance with written answers to this list of issues.

(c) Concluding observations

359. At its second session, the Committee decided to devote at least two meetings to each State party report. It expressed the hope that the reporting States would send high-level representatives to attend those meetings in order to enable an effective and constructive dialogue to take place between the States parties and the Committee, in the light of rule 68 of the provisional rules of procedure.

360. The Committee decided that it would issue, at the end of the consideration of each report, concluding observations reflecting the main points of discussion

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8/ Ibid., chap. I, recommendation 2.

and indicating issues that would require a specific follow-up. These concluding observations would serve as a starting point for the periodic reports to be submitted by States parties at a later stage.

361. The Committee emphasized the importance of providing the State party, following the examination of its report, with such an authoritative statement conveying the views of the Committee on the implementation of the Convention by that State party. It recalled, in that perspective, the recent procedure followed by the Human Rights Committee to ensure that the concluding observations would follow a common structure, including an introduction of a general nature, a chapter on progress achieved, another on factors and difficulties impeding the application of the Convention, one on the principal subjects of concern, and a final one including suggestions and recommendations to be addressed to the State party.

(d) Importance of the reporting system

362. At its fourth session, the Committee welcomed the unprecedented number of ratifications and accessions to the Convention on the Rights of the Child, which constituted a meaningful record in the history of the human rights instruments adopted by the United Nations. It emphasized the importance of this wide political commitment to promote and protect the rights of the child, a commitment which the World Conference on Human Rights had recently confirmed.

363. The Committee reaffirmed in this regard the relevance of ensuring effective implementation of the principles and provisions of the Convention, including of its reporting system. It recalled its firm belief that the process of preparing a report offered an important occasion for conducting a comprehensive review of the various measures undertaken by each State party to harmonize national law and policy with the Convention and to monitor progress made in the enjoyment of the rights set forth by the Convention as well as to encourage and facilitate popular participation and public scrutiny of government policies.

364. For this reason, the Committee stressed that the submission of reports should be accomplished in a thorough and timely manner and in accordance with its adopted guidelines. Failure to report as required constituted a violation of an international obligation in accordance with article 44 of the Convention.

365. The Committee decided, in the light of rule 67 of its provisional rules of procedure, to send a reminder to all States parties whose reports should have been submitted in 1992. It also decided to remind States parties of the activities developed within the programme of advisory services and technical assistance of the Centre for Human Rights and the assistance it could provide in the preparation of reports under human rights treaties.

(e) Follow-up to the submission of States parties reports

366. At its fourth session, the Committee recalled the importance attached by the Convention on the Rights of the Child to the reporting system as a dynamic and continuous process. In fact, the Committee, based on information received pursuant to articles 44 and 45 of the Convention, may make suggestions and recommendations on the implementation of the Convention by the reporting State. (See also rule 71 of the Committee's provisional rules of procedure.)

367. Having this in mind, the Committee had established the practice of adopting, following the consideration of each State party report, concluding observations reflecting the main points of the discussion and indicating in the

chapter on suggestions and recommendations issues that would require a specific follow-up. These concluding observations are made public with the adoption of the Committee's report and addressed to the State party concerned.

368. In accordance with article 45 (b) of the Convention, the Committee may also address the question of technical advice or assistance in the section on suggestions and recommendations of its concluding observations. And in order to encourage international cooperation, it will transmit, as it considers appropriate, the report of the State party and the Committee's observations to competent United Nations bodies including international financial institutions, specialized agencies, UNICEF and others.

369. In this regard, the Committee recognized the importance of periodically reviewing the implementation by States parties of its suggestions and recommendations, as well as the follow-up given to any programme of technical advice or assistance it might have proposed. To that purpose, the Committee decided: (a) to indicate in the concluding observations, whenever necessary, a time-limit within which relevant information would be required from the State party (rule 71 of its provisional rules of procedure); and (b) to request the secretariat to include in the note it prepares on the status of submission of reports a reference in all cases where a follow-up was suggested by the Committee. A table indicating the follow-up to the consideration of State party reports as at 28 January 1994, the closing date of the fifth session of the Committee, is contained in annex VI to the present report.

370. The Committee also recalled in this context article 44, paragraph 6, of the Convention and the commitment thereby undertaken by States parties to make their reports widely available to the public in their own countries. Recognizing the importance of this measure to encourage popular participation and to achieve a comprehensive national approach to the implementation process of the Convention, as emphasized by the World Conference on Human Rights, the Committee decided to encourage States parties to inform it about the steps taken to ensure the widespread dissemination of the results of the dialogue with the Committee.

371. The Committee further recognized that the undertaking of a visit by a treaty body, or by some of its members, to a State party could also perform a very valuable follow-up function. In this framework the Committee recalled the meaningful visit to Viet Nam, organized in the context of the Asian informal regional meeting, some months after the consideration of the initial report of Viet Nam.

4. Urgent action procedure

372. At its second session, the Committee emphasized the importance of urgent procedures within the framework of its activities as a treaty body, and the need for establishing some criteria to be taken into consideration when an urgent action is envisaged. It recognized in this framework that urgent actions would only be considered by the Committee in cases relating to the rights of the child set forth in the Convention. Moreover, they would only be taken up when occurring under the jurisdiction of a State party to the Convention.

373. In order to ascertain in which cases such a procedure would apply, the Committee emphasized that the situation should be serious, i.e., there would be a risk that further violations might occur, and a deterioration of the situation should be prevented. It was underlined that any decision to deal with the situation without delay should be taken up in the spirit of dialogue which is to

prevail in the relations between the Committee and the States parties to the Convention, and not in an accusatory approach. Thus, it should be based on the merits of the specific situation and not pursued for political motivations. The situations justifying the urgent procedure would either be brought to the attention of the Committee by United Nations bodies and other competent bodies, or taken up ex officio by the Committee. It would rely on accurate and credible information. The Committee would therefore consider such reliable information and assess whether the criteria for an urgent procedure are met. If this is the case, the Committee would transmit it to the State party concerned.

374. The Committee emphasized that it considered the urgent procedure as a part of the reporting process established by the Convention. It recalled that, in the light of article 44, when an urgent action is taken up and addressed to a particular State party, the Committee may envisage requesting from the State party concerned a report on the implementation of specific provisions of the Convention or additional information relevant to the implementation of the Convention. The Committee may also suggest a visit to the country concerned. Both initiatives are intended to enable the State party to provide the Committee with a comprehensive understanding of the implementation of the Convention, particularly of those provisions where a specific concern was expressed.

375. The Committee emphasized the importance for such urgent actions to be given publicity, namely by their inclusion in the reports of the Committee. It also recalled the relevance of this procedure in the framework of the action of other treaty bodies. It was therefore suggested that whenever the urgent and serious cases taken up by the Committee would be of relevance to the sphere of competence of any other treaty body, they would be brought to the consideration of that same body.

376. Moreover, in view of the fact that the meeting of persons chairing the human rights treaty bodies would soon take place, the Committee recommended that this important initiative be brought to its attention. Finally, reiterating the importance of maintaining an effective dialogue and cooperation with other human rights bodies, the Committee decided to inform these bodies of the urgent and serious cases it had considered.

377. At its third session, the Committee noted the important recommendation adopted by the meeting of chairpersons in support of the proposal that ways should be explored of empowering the Secretary-General and expert human rights bodies to bring massive violations of human rights to the attention of the Security Council. 9/

378. The Committee was extremely encouraged by the fact that this recommendation reflected the same concern as the urgent action procedure it had adopted at its second session, both being adequate measures to prevent the deterioration of a situation and to ensure an appropriate consideration of serious violations of human rights, and both encouraging the bringing of such cases to the consideration of relevant bodies according to their respective spheres of competence.

379. At its fourth session, the Committee continued its consideration of the urgent procedure it had adopted at its second session. It recalled in this regard the role such procedures might play as an early warning to prevent the deterioration of the situation or to limit the scale of existing violations of children's rights. It further reaffirmed that the urgent procedure should be

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9/ A/47/628, annex, para. 43.

envisaged in the light of the spirit of dialogue and cooperation which guides the Committee's work.

380. The Committee decided to establish a working group composed of some of its members to study ways and means to ensure that these urgent procedures, whenever adopted, are pursued effectively. It therefore decided to appoint one of its members as the focal point for that purpose.

381. The Committee was provided with a working paper on the urgent procedure, which would constitute the basis for future consideration of this important matter.

5. Studies

382. During its second session, and in the light of rule 76 of its provisional rules of procedure, the Committee recalled that, at its first session, it had envisaged the possibility to request, in accordance with the provisions of article 45 (c) of the Convention, the undertaking on its behalf of studies on specific issues relating to the rights of the child, and to address such requests either to the Secretary-General, through the General Assembly, or to other bodies, including specialized agencies, UNICEF and other competent bodies. Such studies would contribute to an increased awareness and better understanding of the provisions of the Convention and their implementation throughout the world.

383. During the discussion, various topics were suggested as possible themes for future studies. The important contribution that United Nations bodies, specialized agencies and other competent bodies, including research institutes and individual experts, could provide in this regard was emphasized, as was the role of catalyst that the Committee could play in developing the agenda for research and study on the rights of the child at the international level. The Committee recognized the importance of being aware of studies relevant to its work already carried out or envisaged by various organizations and bodies. To that end, the Committee recommended that a list of topics to which it attached particular interest should be transmitted to those same organizations and bodies. At the same time, the Committee recognized the importance of this system in facilitating the organization of a bibliographical network concerning the rights of the child. It therefore suggested that the secretariat also be entrusted with this task.

384. Following its discussion on this item, the Committee considered at its third session the note prepared by the secretariat containing a preliminary list of topics identified by the Committee as possible subjects for study on the rights of the child. The Committee further considered the compilation of the list of documents, reports and other published material annexed to that note, which constituted a useful basis for the organization of a bibliographical network in this field, identifying the areas already covered by existing studies and research activities developed by various organizations.

385. The Committee reaffirmed the importance it attached to the undertaking of studies in this field as a means of increasing awareness and better understanding of the principles and provisions of the Convention, as well as of improving its system of implementation.

386. The Committee stressed the need to identify priority areas for studies and the important catalytic role the Committee could play in developing research

activities at the international level. It therefore decided to prepare an explanatory note on the list of possible subjects for studies in which it had a particular interest, underlining the reasons for that interest and the way in which such studies could be of assistance to the Committee in its future work.

387. The Committee decided that this explanatory note would be sent to the various relevant United Nations bodies, specialized agencies and other competent bodies, including research institutes.

388. Following the general discussion at the second session of the Committee on children in armed conflicts, and in view of the outstanding importance of this issue in the context of the promotion and protection of the rights of the child, the Committee concluded that a major United Nations study should be undertaken in this field.

389. The Committee therefore decided, in the light of article 45 (c) of the Convention, to recommend to the General Assembly that at its forty-eighth session it request the Secretary-General to undertake a study on ways and means of improving the protection of children from the adverse effects of armed conflicts (see chap. I.J, third session, recommendation 1 and annex V to the present report).

6. System of documentation and information

390. The Committee has often reaffirmed, at its different sessions, that access to all relevant sources of information pertaining to its functions is essential to ensure an effective performing of its activities. For this purpose, the Committee took decisions in the following areas:

(a) Information from the secretariat on the action taken pursuant to decisions adopted by the Committee

391. At its second session, the Committee decided to request the secretariat to report at the beginning of each session on the action taken pursuant to decisions adopted by the Committee (see chap. I.D, second session, recommendation 2).

(b) Resource room

392. At its first session, the Committee requested the Secretary-General to establish, as proposed by the second and third meetings of persons chairing the human rights treaty bodies, a committee resource room for the purpose of gathering and facilitating access to the various sources of information that are indispensable for the effective functioning of the Committee.

393. At its second session, the Committee was informed of difficulties, including the lack of space and resources, faced by the Centre for Human Rights in this connection. Stressing the need for such a resource room where documentation from the various United Nations human rights organs, including the treaty bodies, could be kept and consulted by members of those bodies, the Committee expressed the hope that the Centre would give this matter the priority consideration it deserved, and adopted a new recommendation in this regard (ibid.).

(c) Working group on a system of information and documentation, including the question of computerization

394. At its second session, the Committee decided to establish a working group among its members to consider the question of the system of information and documentation relevant to its work, including the question of computerization, in cooperation with the Centre for Human Rights, United Nations bodies and other competent bodies (ibid.).

395. Furthermore, the Committee decided to bring its concerns and decisions to the consideration of the fourth meeting of persons chairing the human rights treaty bodies. In this regard, it reaffirmed that, while recognizing that access to all relevant sources of information pertaining to the functions of the Committee on the Rights of the Child was essential. It encouraged the fourth meeting of persons chairing the human rights treaty bodies to give particular consideration to this reality and to envisage the adoption of adequate and urgent recommendations as a matter of priority.

396. On the question of computerization of the work of treaty bodies, the Committee was also informed, at its second session, about developments relating to the establishment of a computerized database and that States Members of the United Nations, in particular those which were parties to United Nations human rights instruments, had been invited to make generous voluntary contributions to cover the initial cost of installing the database. The Committee reiterated the need for the prompt establishment in the Centre for Human Rights of such a computerized database, which would greatly contribute to increasing the efficiency of the treaty bodies. It noted with regret the slow pace of the computerization and the fact that, at the present stage, the appeal to Member States to contribute to the installation of the database was far from having achieved its goal. It was stressed that the Committee should endeavour to identify its specific needs and the various sources of information which would be of direct relevance to its work. The importance of selecting a computerized system which would be compatible with already existing information systems within specialized agencies or regional and non-governmental organizations was also emphasized (ibid.)

397. During the same session, the Committee visited the International Labour Office, where it had a working session in order to familiarize itself with the computerized system used by that agency. This meeting enabled a positive exchange of views on the possibilities afforded by such a system, in order to get updated information on the reality of each country, namely at the level of national legislation, and on the important steps taken by ILO within the framework of its mandate. The Committee emphasized the importance of maintaining close cooperation with United Nations bodies and other competent bodies in the field of human rights in order to establish a computerized network of information.

398. In view of the importance it attaches to building a network of information and documentation relevant to its work, as well as to developing a system of computerization, in cooperation with the Centre for Human Rights, United Nations bodies and other competent bodies, including non-governmental organizations, the Committee established further contacts with bodies active in the field of the rights of the child at its third session. In this framework, a working session was organized at the Office of the United Nations High Commissioner for Refugees (UNHCR), where an interesting exchange of views took place on the computerized system used by UNHCR and on the possibilities afforded by this system.

399. The Committee was also informed of the steps taken with the support of the UNICEF International Child Development Centre at Florence, Italy, to establish a network of information and a database system on the rights of the child. In this connection, members of the Committee reiterated their conviction that further cooperation and coordination with the relevant bodies active in this field should be ensured. The Committee stressed the need to build a cooperative spirit of work, based on a natural division of labour shaped by the respective areas of activity of the different bodies involved and leading to a system of mutual assistance and sharing of information. It was decided that the working group of the Committee on documentation and information would pursue its tasks, particularly with a view to identifying the priorities for the work of the Committee, namely the specific areas to be covered by the system of computerization of the work of the treaty bodies, in a user-oriented perspective.

400. At its fourth session, the Committee held a working meeting at the World Health Organization (WHO) and was informed about the important steps taken by WHO to monitor progress in the implementation of the Global Strategy for Health for All by the Year 2000, as well as about the information network in the field of health, including national legislation.

401. The Committee reaffirmed the importance of maintaining close cooperation with United Nations bodies in the field of children's rights in order to better monitor the situation of children, as recommended by the World Conference on Human Rights. Such cooperation in the field of information would be a decisive step towards the establishment of a comprehensive computerized network.

402. At its fifth session, the Committee, in the light of the importance of building a network of information and documentation in the field of children's rights, reaffirmed that such a network should be established in close cooperation with United Nations organs, specialized agencies and other competent bodies, human rights-monitoring treaty bodies, as well as other relevant mechanisms active in the field, including the Special Rapporteur of the Commission on Human Rights on sale of children, child prostitution and child pornography and the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities.

403. Moreover, the Committee emphasized the importance of ensuring a systematic interaction and a meaningful dialogue with all these bodies active in the field of the rights of the child, paving the way for a thematic and integrated approach.

404. The Committee was informed, by the members who had participated in it, about the consultative meeting on indicators and information systems for children's rights, organized on 9 October 1993 in close cooperation with UNICEF. The report given thereon reflected the emphasis put on the importance of a meaningful spirit of cooperation between all the entities represented there - the Centre for Human Rights, United Nations organs and specialized agencies, non-governmental organizations and the Committee itself. Such a spirit would be essential to building up a network of information and ensuring access to comprehensive, accurate and updated data.

405. There had been a deep interest at the meeting in the Convention on the Rights of the Child and its system of implementation, recognized as crucial for the consideration and development of new steps in this area. For this reason, the members of the Committee had the opportunity of explaining in detail the procedures followed in their work, as well as the value of their guidelines for

the thematic approach they ensured to the different areas covered by the Convention.

406. In the light of all these important developments, the Committee took note with particular interest of the invitation addressed to it by the Centre for Human Rights to participate, on 19 January 1994, in a consultative meeting on an information and documentation system to support the Convention on the Rights of the Child, a meeting which would in fact constitute a follow-up to that of 9 October 1993.

407. Representatives of various United Nations bodies and other competent bodies were present at the meeting, reaffirming once again their interest in building up an integrated system of information and documentation and cooperating to achieve that purpose.

408. During the meeting, the Committee was able to present its expectations in this regard, underlining its priorities in the light of the workload it faces in dealing with the large number of State party reports, resulting from the fact that the Convention on the Rights of the Child is the most widely ratified instrument in the field of human rights.

409. In this framework, reference was also made to the report and recommendations of the task force appointed by the Commission on Human Rights to study the question of the computerization of the work of the treaty bodies, 10/ which listed the needs of the committees established by the different human rights conventions, reflecting the common areas of interest for the information system which naturally are also shared by the Committee on the Rights of the Child.

410. The participating United Nations bodies, as well as the representatives of non-governmental organizations, presented the different computerized systems they have developed within their organizations, which had in fact already been shown to the Committee at previous sessions. Furthermore, they identified the areas where cooperation could be foreseen, as well as the fields where assistance could be provided to the Centre for Human Rights in general, and to the Committee on the Rights of the Child in particular. In view of the urgent nature of these measures, the participants decided to establish a working committee to plan the steps to be undertaken in the near future and the priorities to be defined.

411. The Committee expressed its willingness to continue to be associated with all these efforts in order to ensure that the actions to be developed in the future would take the user's perspective and needs into due consideration. Furthermore, it stressed that it was particularly encouraging to see that the rights of the child had paved the way for a constructive dialogue between the different bodies of the United Nations system, non-governmental organizations and the Committee in such a decisive field as that of information. Children's rights had also created the occasion for efforts to be brought together, in a spirit of interaction and complementarity, and to give a new impetus to the actions previously initiated within the Centre for Human Rights. The Committee further reaffirmed that it was confident that the steps to be undertaken to support the implementation of the Convention on the Rights of the Child would also be extremely beneficial to the work and computerization of all the other treaty bodies.

10/ E/CN.4/1990/39, annex.

(d) Documentation unit on the rights of the child

412. At its third session, the Committee stressed once again the importance of having access to all relevant sources of information pertaining to its functions in order to be effective. It recalled the important steps already undertaken for this purpose, namely the close cooperation with United Nations bodies, specialized agencies and other competent bodies, including non-governmental organizations, in order to build a network of information on the rights of the child, as well as the organization of country files and the preparation of an analytical study of available information concerning each State party whose report is to be considered by the Committee.

413. At the same time, the Committee regretted that it had not yet been possible to establish a committee resource room with a view to gathering and facilitating access to the various sources of information on the rights of the child.

414. The Committee noted with particular interest the recommendation adopted by the fourth meeting of persons chairing the human rights treaty bodies that a centralized information and documentation unit should be created within the Centre for Human Rights, as a means of ensuring an easier and wider access to relevant information in this field. 11/

415. With the same concern, and in view of the importance of ensuring effective interaction and a meaningful and systematic dialogue with other bodies active in the field of the rights of the child, and of closely following activities relevant to its work, the Committee decided to recommend that, as a preliminary step towards the creation of a centralized information and documentation unit within the Centre for Human Rights, consideration be given to the establishment of a documentation unit on the rights of the child (see chap. I.F, third session, recommendation 4).

416. Such a unit, guided by a thematic approach, would constitute a focal point in this area, bringing together the activities developed by the Committee on the Rights of the Child, the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography, as well as the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities.

(e) Indicators as a means of assessing progress in the realization of the rights of the child

417. During its second session, the Committee expressed the view that the use of appropriate indicators could contribute to a better assessment of how the rights covered by the Convention were guaranteed and implemented and to an evaluation of progress achieved over time towards the full realization of those rights. It was stressed that the Convention covered a whole range of civil and political, as well as economic, social and cultural rights and that there was therefore a need for a right-by-right approach in order to determine what kind of indicators would be relevant for each of the rights set out in the Convention. Indicators constituted an important component offering the Committee the possibility to assess the progress achieved by States parties. However, indicators were not entirely sufficient to ensure such a possibility, mainly when there was a need to emphasize how the rights set forth in the Convention were individually enjoyed. Indicators should meet some basic requirements such as validity, objectivity, sensitivity, comparability, accuracy and disaggregation. It was

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11/ See A/47/628, annex, paras. 51-55.

said that the Committee should benefit from the experience acquired in the collection of statistical data and use of indicators by the United Nations Children's Fund, various United Nations bodies, specialized agencies and non-governmental organizations. The Committee welcomed the convening, in December 1992, of the meeting of experts on appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights, in which it would participate, and expressed the hope that this seminar would contribute to determining how best to incorporate the use of indicators into the monitoring activities of the Committee (see chap. I.G, second session, recommendation 4).

418. At its third session, the Committee decided to continue the consideration of this important issue and recalled that it had entrusted its working group on information and documentation with the task of studying the question of the use of appropriate indicators to better assess how the rights of the child recognized by the Convention are enjoyed and implemented, and to evaluate the progress achieved.

419. The working group followed the consideration of this important field, in particular with a view to preparing the participation of the Committee in the seminar on appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights, taking place at Geneva from 25 to 29 January 1993.

420. The Committee decided to examine the report of the seminar at its fourth session and to consider the follow-up measures in the light of the conclusions and recommendations of the seminar.

421. The Committee reaffirmed the importance of developing indicators following a right-by-right approach. It also recalled the need to enhance its cooperation with United Nations bodies and other competent bodies, including research institutes, and to benefit from their experience in this important area, particularly in order to assist the Committee in its consideration of a right-by-right approach, in the light of the structure provided by the guidelines adopted by the Committee (CRC/C/5).

422. At its fourth session, the Committee reiterated its decision to continue to study the question of the use of appropriate indicators, namely through the working group established at its second session (see chap. I.D, second session, recommendation 2).

423. A representative of the Committee had participated in the expert seminar on appropriate indicators. The Committee took note of the report of the seminar 12/ and decided to request its working group to consider the conclusions and recommendations proposed therein, to report back to the Committee and to propose possible follow-up measures. The Committee also took note of the consideration given by the Commission on Human Rights, in its resolution 1993/14 of 26 February 1993, to the conclusions of the expert seminar, as well as of the request to the Secretary-General to prepare basic policy guidelines on structural adjustment and economic, social and cultural rights which would serve as a basis for a continued dialogue between human rights bodies and the international financial institutions.

424. At its fifth session, the Committee was informed about the consultative meeting on indicators and information systems for children's rights, organized

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12/ A/CONF.157/PC/73.

on 9 October 1993 in close cooperation with UNICEF, and it took note of the important projects developed by United Nations bodies and non-governmental organizations concerning the establishment of an effective system of monitoring the implementation of the Convention and the use, in that regard, of appropriate indicators to assess existing trends and evaluate the progress achieved. The Committee felt that it was extremely encouraging to see the results already achieved in this important area, which constitutes an essential tool for evaluating the way children enjoy their fundamental rights.

C. Public information activities and education on children's rights

425. At its second session, the Committee was informed that as regards the question of the availability of the documents of the Committee in the United Nations information centres, the meetings of heads of such centres and the Bulletin issued thereon had been used to alert the centres about the availability and accessibility of treaty body documents. The Committee emphasized that it was important to ensure free availability of documents for general distribution at the country level.

426. At the same session, the Committee invited States parties to pay particular attention to the need for translating and publishing the Convention in the various local languages and to ensure that the principles and provisions thereof are made widely known, by appropriate and active means, to adults and children alike (see chap. I.E, second session, recommendation 3).

427. In view of the importance of disseminating information on the Convention on the Rights of the Child and its monitoring mechanism in order to enhance implementation of the Convention, the Committee on the Rights of the Child also requested the Secretary-General to make documents of the Committee classified in the general distribution category freely available, on a routine basis, in the United Nations information centres or, in the countries where centres do not exist, in the country offices of the United Nations Development Programme; and encouraged him to consider providing training and assistance to the national institutions acting in the field of the rights of the child, within the technical assistance and advisory services programme (see chap. I.H, second session, recommendation 5 C).

428. At its third session, the Committee reaffirmed the importance of enhancing awareness of the Convention and its system of implementation.

429. In this framework, and in order to ensure a wide availability of the Committee's documents for general distribution and easier access to them at the country level, the Committee recommended that, following its examination of each State party report, a compilation be prepared containing the report, the summary records relevant to its consideration by the Committee and the concluding observations adopted thereon by the Committee.

430. This compilation would be made freely available on a routine basis at the United Nations information centre in the country concerned or, if there is no such centre, at the United Nations Development Programme country office.

431. Such an initiative would at the same time be an effective means of assisting States parties in their endeavours to ensure, in the light of article 44, paragraph 6, of the Convention, that their reports are made widely

available to the public in their own country (see chap. I.E., third session, recommendation 2).

432. At its fourth session, the Committee decided, in order to facilitate easier access to and ensure better understanding of its work, to issue, as one of its documents, an analytical compilation of the conclusions and recommendations adopted by the Committee at its previous sessions; it recognized the importance of keeping such a compilation up to date (see CRC/C/19).

433. The Committee recognized the role of public information activities in achieving the goal, set by the World Conference on Human Rights, of universal ratification of the Convention by the year 1995.

434. Having this in mind, the Committee decided to reaffirm its request to the Secretary-General to consider the inclusion in the Manual on Human Rights Reporting of a chapter on the work of the Committee, the completion and issuance of the travaux préparatoires and the commentary on the Convention on the Rights of the Child, and the preparation and dissemination of publications specially addressed to children.

435. The Committee further decided to request the Secretary-General to consider the preparation of a new Fact Sheet on the implementation process of the Convention on the Rights of the Child. Such a publication would enable a better understanding and consideration by States of the comprehensive national approach taken by the Committee in the fulfilment of its tasks as a treaty monitoring body.

436. At its fifth session, the Committee took note with particular interest of the letter addressed to it by the Assistant Secretary-General for Human Rights inviting the Committee to express its views and give its suggestions on how to ensure effective promotion and protection of human rights education, training and public information, in the light of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights.

437. The Committee on the Rights of the Child has often reaffirmed the decisive importance it attaches to the fields of education and information as essential elements of an effective overall human rights strategy, and in particular in order to create awareness, to promote respect for and effective protection of the rights of the child, and to prevent the violation of those rights. It recalled in this regard the emphasis placed by the World Conference on the need to include human rights as a subject in the curricula of all learning institutions, in formal and non-formal settings. It was the belief of the Committee that this approach offered an encouraging opportunity for considering the inclusion of the Convention on the Rights of the Child in school curricula and as an inspiring instrument in the area of non-formal education.

438. The Committee therefore stressed the relevance of education to ensure the development of the child's personality, talents and mental and physical abilities to their fullest potential, to develop the child's respect for human rights and to prepare the child for a responsible life in a free society, in the spirit of understanding, peace and tolerance.

439. The Committee also expressed the view that the field of education should be envisaged in the light of the new vision promoted by the Convention on the Rights of the Child, based on the enjoyment of rights by all children without discrimination, the primary consideration of the best interests of the child, and the need to ensure survival and development of children to the maximum

extent and to encourage respect for the views of children and their active participation in society. The education, information and training of children in the field of human rights was therefore seen as a priority.

440. Recalling the holistic approach of the Convention to children's rights, the Committee further underlined the fact that programmes aimed at enhancing the right to education should take into account all the other rights recognized by the Convention and form part of an overall integrated approach. In addition, having in mind its experience in the consideration of State party reports, the Committee emphasized the importance for training in human rights in general, and children's rights in particular, to be addressed to teachers, law enforcement officials, members of the judiciary, social workers, members of the medical profession and health workers, journalists, employers and labour inspectors.

441. In order to enhance international cooperation in the field of education and to envisage ways of improving the system of implementation of the Convention on the Rights of the Child in this area, the Committee, represented by some of its members (Mrs. Hoda Badran, Mrs. Akila Belembaogo and Mrs. Marta Santos Pais), held an informal meeting with representatives of UNESCO in Paris in November 1993.

442. This informal meeting was an important occasion to consider areas of common concern, such as information-sharing, programmes of technical assistance and the organization of conferences and studies in the field of education for children. The exchange of views made it possible to address specific fields for future cooperation.

443. In this regard, the participation of UNESCO in the meetings of the pre-sessional working groups of the Committee was stressed as being of particular importance, namely for the opportunity it would provide for the Committee to have access to relevant information gathered for that purpose by a focal point within that organization. It might at the same time enable a common approach to programmes of technical advice or assistance to be launched at the national or regional levels.

444. Furthermore, UNESCO expressed its willingness to contribute to making the Convention better known, through the organization and dissemination of school versions of its text prepared by children, as well as through training programmes for teachers and other professional groups. In this connection, reference was made to the 1993 World Plan on Education for Human Rights and Democracy, which would include important sections on children's rights.

445. Moreover, UNESCO recognized that pilot information and participation campaigns could also be undertaken through the Associated Schools network or UNESCO clubs as a step towards the consideration of the Convention within school curricula.

D. International cooperation and solidarity for the implementation of the Convention on the Rights of the Child

1. Review of developments relevant to the work of the Committee

446. At its first session, the Committee had requested the secretariat to report, at the beginning of each session, on the action taken pursuant to decisions adopted by the Committee at its previous session. Accordingly, at its

second session the Committee was provided with informal notes prepared by the Secretariat containing summaries of action taken by the General Assembly at its forty-sixth session, the Commission on Human Rights at its forty-eighth session, and the Subcommission on Prevention of Discrimination and Protection of Minorities at its forty-fourth session, on the question of the rights of the child and related matters. The Committee also had before it informal notes by the secretariat containing a compilation of international instruments relating to the Convention on the Rights of the Child and a compilation of the general comments and general recommendations adopted by the various human rights treaty bodies. 13/

447. Following a decision taken at the first session, the Rapporteur made a comprehensive oral report on the developments relevant to the work of the Committee that had occurred since the preceding session. In this presentation, particular emphasis was put on action taken within the framework of the General Assembly, the Commission on Human Rights, the Subcommission on Prevention of Discrimination and Protection of Minorities, including Special Rapporteurs and Working Groups, as well as by the different treaty bodies, which were of interest for the consideration by the Committee of questions relating to its methods of work and to the study of issues of a thematic nature.

448. In view of the importance the Committee attaches to closely following and maintaining effective communication with the other human rights treaty bodies, it also considered the important developments which had occurred within these bodies through presentations made by the members of the Committee having been designated for that purpose.

449. The Committee therefore decided to maintain the consideration of this item once a year, based on the presentation by the Rapporteur and the information provided by the liaison members to the different treaty bodies. To this end, the Committee requested the secretariat to prepare a document summarizing the important steps taken by the relevant United Nations bodies.

450. The Committee was also encouraged by the fact that, at the regional level, the different actions undertaken in the field of the promotion and protection of the rights of the child had shown the important catalysing role the Convention had played. The Committee therefore encouraged the Secretariat to include in the document to be prepared on the developments relevant to its work a reference to the essential activities undertaken at the regional level, particularly by the intergovernmental organizations. The members of the Committee would also provide the Secretariat with relevant information of which they might be aware.

451. At its third session, the Committee was provided with informal notes prepared by the secretariat containing summaries of action taken by the General Assembly at its forty-seventh session, the Commission on Human Rights at its forty-ninth session and the Subcommission on Prevention of Discrimination and Protection of Minorities at its forty-fifth session on the question of the rights of the child and related matters.

452. The Rapporteur made a comprehensive oral report on the developments relevant to the work of the Committee which had occurred since the preceding session. In this presentation, particular emphasis was put on action taken within the framework of the General Assembly, the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities, including special rapporteurs and working groups, as well as by the different

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13/ HRI/GEN/1.

treaty bodies, which was of interest for the consideration by the Committee of questions relating to its methods of work and to the study of issues of a thematic nature. Specific mention was made of the World Conference on Human Rights and the Vienna Declaration and Programme of Action, in particular in the light of recommendations concerning the rights of the child and the work of the Committee as a treaty-monitoring body.

2. Cooperation with United Nations bodies and other competent bodies

(a) Cooperation with United Nations bodies and treaty bodies

453. At its first session the Committee had recognized that the Convention provided a particularly valuable framework for the specialized agencies, UNICEF, United Nations organs and other competent bodies to guide activities and programmes affecting children. Additionally, it had been noted that the Convention served as a useful basis for a meaningful cooperation and dialogue among all the various bodies concerned. 14/

454. At that session, the Committee had requested the secretariat to submit to it a compilation of international instruments relevant to the work of the Committee, taking into account instruments adopted by the various United Nations organs and specialized agencies as well as relevant recommendations and resolutions, as appropriate; it had also requested the secretariat to provide it with a compilation of the general comments and general recommendations adopted by the various human rights treaty bodies. 15/

455. At its second session, the Committee welcomed the possibility of holding future meetings with the United Nations bodies acting in the field of the rights of the child, including each of the treaty bodies, with a view to discussing matters of common interest; decided to follow, as appropriate, the meetings and activities of other human rights treaty bodies, as well as other United Nations meetings relevant to its work; welcomed the opportunity to participate in the meeting of experts on the application of international standards concerning the human rights of detained juveniles, to be organized at Geneva in March 1993, following a proposal by the Secretary-General endorsed by the Subcommission on Prevention of Discrimination and Protection of Minorities in its resolution 1992/25 of 27 August 1992, in which the Subcommission also expressed the wish that the Committee on the Rights of the Child be represented at the meeting of experts; expressed the hope that adequate resources would be provided to enable the Committee to develop effective communication and dialogue with other human rights bodies and to participate in United Nations meetings relevant to its work; invited special rapporteurs of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities and working groups established by the Commission and the Subcommission to take the Convention on the Rights of the Child into consideration within the framework of their respective mandates; and welcomed the opportunity provided by its second session for starting a constructive and meaningful dialogue with the Special Rapporteur on the sale of children, child prostitution and child pornography, and on questions of common concern, namely, the question of child

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14/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 41 (A/47/41), paras. 14 and 15.

15/ Ibid., chap. I, recommendation 2.

soldiers, and expressed its willingness to pursue that dialogue at its future sessions (see chap. I.G, second session, recommendation 4).

456. At its third session, the Committee recalled the emphasis put by the fourth meeting of persons chairing the human rights treaty bodies on the promotion of interaction among treaty bodies and reaffirmed the decisions and recommendations adopted at its previous sessions on the issue of effective interaction and cooperation with other United Nations and treaty bodies active in the field of the rights of the child. It stressed the need for providing the Committee with adequate resources to enable it to develop effective communication and dialogue with other human rights bodies and to participate in United Nations meetings relevant to its work; reaffirmed its interest and willingness to participate in the proposed meeting of experts on the application of international standards concerning the human rights of detained juveniles, and recalled the important framework established by the Convention on the Rights of the Child in that field; decided to follow closely the preparatory process of the International Year of the Family and, within that framework, to strengthen its cooperation with the Centre for Social Development and Humanitarian Affairs, in particular with a view to being associated with that event and having access to the relevant documents and studies; and requested the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia to take the Convention on the Rights of the Child into full consideration in the fulfilment of his mandate and in his future reports (ibid., third session, recommendation 3).

457. At its fourth session, the Committee reaffirmed the importance of ensuring effective interaction and cooperation with United Nations bodies active in the field of the rights of the child. It furthermore recognized the great importance that the Convention attaches to the area of technical advice and assistance.

458. The Committee also took note of the emphasis given by the World Conference on Human Rights to the achievement of progress in human rights endeavours through an increased and sustained effort of international cooperation and solidarity, as well as of its recommendation that the human rights and the situation of children be regularly reviewed and monitored by all relevant organs and mechanisms of the United Nations system.

459. In this regard the Committee decided to hold a meeting with specialized agencies at its next session.

460. The Committee also reaffirmed its decision to follow closely the developments related to the International Year of the Family, the International Conference on Population and Development and the World Summit for Social Development. At the same time, recognizing the importance of being associated with the preparatory process for the Fourth World Conference on Women, to take place at Beijing in 1995, it decided to devote one of its future meetings to the consideration of its contribution to this event (ibid., fourth session, recommendation 4).

461. At the same session, the Committee was informed that the Secretary-General had submitted to the Committee the draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and, in accordance with Commission on Human Rights resolution 1993/34, was invited to submit its observations thereon.

462. The Committee recognized the importance of any steps taken to protect any person against the use of torture or other cruel, inhuman or degrading treatment or punishment, as well as to prevent its occurrence. In this perspective, it welcomed the progress achieved at the first session of the working group on the draft optional protocol established by the Commission.

463. In the Committee's view, it would be important to bring relevant provisions of the Convention to the attention of the working group and to suggest that they be taken into consideration in its work. The Committee therefore decided to transmit its suggestions to the working group and to continue to follow its developments.

464. In another development, the Committee welcomed the decision of the General Assembly to declare 17 October International Day for the Eradication of Poverty. The Committee decided to associate itself with the commemoration of this international day and to issue a message to this effect (see CRC/C/20, annex IV).

465. At its fifth session, the Committee took note of the adoption by the General Assembly of resolution 48/156 of 20 December 1993 on the need to adopt efficient international measures for the prevention of the sale of children, child prostitution and child pornography. It also took note of the concern expressed therein on the persistence in the world of situations of the sale of children, child prostitution and child pornography, as well as the value attached in this framework to the Convention on the Rights of the Child and its effective implementation at the national level, as an essential means to prevent and combat such situations.

466. The Committee noted that the political commitment expressed by the international community in general, and States parties to the Convention in particular, to ensure the realization of the rights of the child, to promote international cooperation and solidarity and to integrate the Convention into national action plans would undoubtedly contribute to preventing and combating situations of exploitation of children such as the sale of children, child prostitution and child pornography.

467. The Committee further noted that there were encouraging signs at the present time of achieving that aim. It was important to recall the undeniable trend for the universal ratification of the Convention on the Rights of the Child by 1995, as recommended by the World Conference on Human Rights, the constructive dialogue established between the Committee and States parties in the framework of the reporting system established by the Convention, as well as the close and fruitful cooperation developed with the Special Rapporteur of the Commission on Human Rights on sale of children, child prostitution and child pornography. This close cooperation on questions of shared concern, often reaffirmed by the Committee, had been shown once again to be crucial during the Committee's fourth session, when it organized a general discussion on the economic exploitation of children, in which the realities of the sale of children, child pornography and child prostitution, inter alia, were considered. The Special Rapporteur took part in the extensive consideration given to this important subject on that occasion (see CRC/C/20, paras. 186-196). In the light of the importance attached to this question, and taking into account the exchange of views during the general discussion on the economic exploitation of children, the Committee decided to organize a comprehensive dossier containing the relevant instruments adopted in this field, namely the two Programmes of Action adopted by the Commission on Human Rights, together with an extended record of the theme day, as well as to adopt a set of recommendations designed

to improve the system of prevention, protection and rehabilitation regarding children in situations of economic exploitation, as decisive measures to eradicate such situations.

468. The Committee also took note of the letter addressed to it by the Assistant Secretary-General for Human Rights concerning the mandate of Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities to update the report of Mr. Abdelwahab Boudhiba on the exploitation of child labour 16/ and to extend the study to the problem of debt bondage.

469. In this framework, the Committee recalled that it had devoted one day of its fourth session to a general discussion on the economic exploitation of children, thus reflecting the importance it attached to this issue in the framework of the promotion and protection of the rights of the child.

470. Furthermore, the Committee recalled that issues relevant to the Programme of Action for the Elimination of the Exploitation of Child Labour were taken into account when it considered reports submitted by States parties under article 44 of the Convention, as reflected in the concluding observations adopted by the Committee at the end of its dialogue with States parties.

471. The Committee decided to inform the Special Rapporteur of the Subcommission about all the steps it had taken in that regard and to express its interest in maintaining close cooperation with her.

472. The Committee also took note of the letter addressed to it by the Assistant Secretary-General for Human Rights concerning the mandate of the Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities on human rights and the environment.

473. The Committee recalled that, in the light of the Convention on the Rights of the Child, States parties are requested to provide relevant information on measures taken, factors and difficulties encountered and progress achieved in implementing the provisions of the Convention, including measures to combat the risks of environmental pollution (art. 24, para. 2 (c)); to ensure that all segments of society are informed, have access to education and are supported in the use of environmental sanitation (art. 24, para. 2 (e)); and to ensure that the child's education shall be directed to the development of respect for the natural environment (art. 29, para. 1 (e)). The information provided should also reflect the interdependence and indivisibility of the rights of the child and take into account the general principles reflected in the Convention, namely non-discrimination, the best interests of the child, the child's right to survival and development and respect for the views of the child.

474. The Committee noted with appreciation that the Special Rapporteur on human rights and the environment had included in her second progress report 17/ relevant information from State party reports indicating their concern for children and the state of the environment. In this spirit, and in view of the interest it attaches to the field of the environment, the Committee decided to inform the Special Rapporteur about the specific measures brought to its attention in the framework of States parties' initial reports. The Committee also expressed its interest in being informed of relevant recent developments brought to the attention of the Special Rapporteur.

16/ E/CN.4/Sub.2/479/Rev.1.

17/ E/CN.4/Sub.2/1993/7.

475. At the same session, the Committee decided to follow closely the general discussions to be held by the Committee on Economic, Social and Cultural Rights in 1994 on the role of social safety nets as a means of protecting economic, social and cultural rights, with particular reference to situations involving major structural adjustment and/or transition to a free market economy and on human rights education and public information (see chap. I.C, fifth session, recommendation 3).

(b) Cooperation with other competent bodies

476. At its third session, the Committee recognized the importance of enhancing its cooperation with other competent bodies, with a view to ensuring a better implementation of the Convention. It also recognized the relevant role played by non-governmental organizations in creating awareness of the Convention and participating in the process of monitoring its implementation. In this framework, the Committee took note with interest of the Latin American meeting of non-governmental organizations, held at Lima in December 1992. Attention was also called to the Declaration then adopted, reflecting an important commitment towards the realization of the rights of the child. The Committee decided to distribute the Lima Declaration in one of its documents (CRC/C/14).

477. At its fourth session, the Committee on the Rights of the Child recalled the recognition by the World Conference on Human Rights of the important role played by non-governmental organizations in the effective implementation of the Convention on the Rights of the Child.

478. It recalled in this framework that the treaty bodies, in their common recommendation to the World Conference, had suggested that a Non-Governmental Organization Liaison Unit be established within the Centre for Human Rights in order to facilitate effective access by the treaty bodies to non-governmental organizations.

479. The Committee held a working meeting with the Coordinator of the Non-Governmental Organization Group on the implementation of the Convention on the Rights of the Child to discuss the important contribution national coalitions might make in that regard and other issues of common interest in the field of international cooperation.

480. At the same session, the representative of The Hague Conference on Private International Law reported to the Committee on the recently adopted Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

481. The Committee welcomed this significant development and the role the Convention on the Rights of the Child had played in the drafting of the new instrument, in particular the paramount importance of the principle of the best interests of the child and the subsidiary nature of intercountry adoption.

482. Moreover, the Committee was informed by the representative of Epoch Worldwide of the research developed by that organization on the use of corporal punishment against children. In that context, mention was made of the child's right to be protected from all forms of violence, neglect or abuse, as referred to in article 19 of the Convention.

483. The Committee recognized the importance of the question of corporal punishment in improving the system of promotion and protection of the rights of the child and decided to continue to devote attention to it in the process of examining State party reports.

484. At its fifth session, following a first meeting organized during its second session, the Committee held an exchange of views with the Standing Working Party on Offences against Minors of the International Criminal Police Organization (Interpol), to further discuss matters of mutual concern in the field of the rights of the child and envisage future areas of cooperation.

485. For that purpose, Interpol had submitted a document containing the conclusions of the First International Symposium on Offences against Children and Young Persons, as well as a proposal for a plan of action for cooperation with the United Nations in the area of training of law enforcement officials.

486. The representatives of Interpol stressed the importance its Standing Working Party attached to the Convention on the Rights of the Child and to the work of the Committee, in particular in the fields of sexual exploitation of children, the instrumental use of children in criminal activities and the sale and trafficking of children, as well as in the area of the rights and interests of children throughout the police investigation process. They further emphasized that the approach of the Standing Working Party had been inspired by the principle of the best interests of the child to be taken as a primary consideration; it envisaged the child as the victim and not the perpetrator and it encouraged multidisciplinary cooperation in the policies to be adopted.

487. The Committee recalled that, during its recent general discussion on the economic exploitation of children, reference had been made to the work of Interpol in those areas. For that reason the Committee had included a specific recommendation in the public statement it had made on the outcome of the general discussion (CRC/C/20, annex VI), encouraging the adoption of initiatives to combat corruption within police forces.

488. The Committee further stressed that, in the examination of State party reports, the question of training of law enforcement officials on human rights in general, and children's rights in particular, had been raised and was reflected in the recommendations addressed to the States parties concerned. In that spirit, the Committee's concluding observations had often encouraged the organization of information and education campaigns on the rights of the child to strengthen the prevention of crimes committed against children, as well as of training courses in cooperation with the programme of advisory services and technical assistance of the Centre for Human Rights. Some steps had already been taken by that programme in this particular area.

489. The process of advocacy and training, recognized as ongoing, was a common area of concern and could, in fact, contribute to enhancing respect for the dignity of the child, preventing any kind of discrimination, fully protecting the child as the victim against all forms of abuse, including ill-treatment, and ensuring the right of the child freely to express his or her views in all legal proceedings, including during a police investigation.

490. The Committee therefore decided to continue to pay attention to this important question and to plan the actions to be developed in the future at the national or regional levels in close cooperation with the Centre for Human Rights, United Nations bodies and organs, such as the Crime Prevention and Criminal Justice Branch, Interpol and other competent bodies active in the field. For their part, reaffirming the relevance of close cooperation with the United Nations and the Committee on the Rights of the Child, the representatives of Interpol invited the Committee to be represented at the meeting of its Standing Working Party in April 1994, which could constitute a first step in the planning of future concerted efforts.

3. World Conference on Human Rights

491. The Committee on the Rights of the Child had already started discussing the World Conference on Human Rights at its first session, and had adopted a set of recommendations on that issue. 18/

492. At the Committee's second session, the Chairperson summarized developments concerning preparatory activities relating to the World Conference. She underlined the difficulties faced during the preparatory process, in particular with regard to the inclusion of specific items in the provisional agenda for the World Conference. With respect to the role and contribution of the human rights treaty bodies to the work of the Conference, the Chairperson referred to the provisions of rule 65 of the draft rules of procedure for the World Conference, according to which the chairperson or other designated members of human rights treaty bodies may participate as observers in the deliberations of the Conference.

493. The Committee endorsed the suggestion presented to the fourth meeting of persons chairing the human rights treaty bodies, aiming at the establishment of a special working group during the deliberations of the Preparatory Committee and the World Conference itself, to examine the issues relevant to the implementation of existing human rights standards and instruments, evaluate the effectiveness of United Nations methods and mechanisms and formulate concrete recommendations for improving their effectiveness. It was noted that the treaty bodies could communicate their experiences and recommendations to the World Conference through specific contributions to be presented to the Preparatory Committee at its fourth session. The members recalled that they had recommended, at their previous session, the inclusion of an item on the agenda of the World Conference which would specifically discuss the issue of the rights of the child, as well as the convening of a meeting of members of human rights treaty bodies, as part of the preparatory process, in order to facilitate a comprehensive evaluation of the work of those bodies with a view to making recommendations for the improvement of their functioning (recommendation 5). The Committee expressed satisfaction at the inclusion, in the provisional agenda for the forthcoming fourth meeting of persons chairing the human rights treaty bodies, of the question of comments and recommendations to the Preparatory Committee for the World Conference on Human Rights.

494. At its third session, the Committee took note of the recent developments in the preparatory process of the World Conference on Human Rights.

495. The Committee further considered the recommendations adopted by the fourth meeting of persons chairing the human rights treaty bodies in relation to the World Conference and its preparatory process. It recalled the importance attached to the full participation of the treaty bodies' representatives in all future meetings and in the Conference itself, to the recognition of the group of chairpersons as a special advisory body to the World Conference and to the establishment at the Conference of a special working group entrusted with the task of examining issues relevant to the implementation of existing human rights standards and instruments, evaluating the effectiveness of United Nations methods and mechanisms and formulating concrete recommendations.

496. The Committee reaffirmed the importance it attached to the World Conference as a major event capable of contributing, in a decisive way, to the enhancement

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18/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 41 (A/48/41), chap. I, recommendation 5, and para. 18.

of awareness and to strengthening the promotion and protection of human rights world wide, while reinforcing the role of the United Nations in the field. It therefore decided to follow closely and contribute actively to the preparatory process and the World Conference itself.

497. In this respect, the Committee reaffirmed its readiness to ensure its full participation in the Conference. It further decided to be represented by two or more of its members at the fourth session of the Preparatory Committee, to be held in April 1993, during which the question of the final outcome of the World Conference was to be taken up. The Committee decided that it would be represented by its Chairperson and its Rapporteur.

498. The Committee also expressed its readiness to be represented at the regional meeting to be organized in Asia, while regretting that it had not been possible for it to participate in the meetings held at Tunis and San José, Costa Rica.

499. Moreover, the Committee decided to participate in the satellite meeting of the Conference, organized at Strasbourg by the Council of Europe, from 28 to 30 January 1993. The Committee designated as its representatives Mrs. Marta Santos Pais and Mr. Thomas Hammarberg.

500. The Committee was informed by the Secretariat of the stage of preparation of the six "prototype" studies to be submitted to the World Conference, as well as of the 12 substantive contributions prepared by different United Nations bodies.

501. The Committee recalled the relevance of this documentation, particularly in view of the fact that one of the objectives identified in the annotations to the studies was to review and assess progress achieved with regard to the human rights of children and to take into consideration the Convention on the Rights of the Child, [19] while other objectives included consideration of the system of implementation of existing human rights instruments, including the reporting obligations and ways to improve the work of human rights treaty bodies.

502. The Committee took note of the provisional agenda for the World Conference, which illustrated the importance afforded to the contemporary trends in and new challenges to the full realization of all human rights of women and men, including those of persons belonging to vulnerable groups.

503. It recalled its previous recommendation to the Preparatory Committee for the World Conference on Human Rights to organize the agenda of the Conference in such a way as to ensure that the rights of the child would be given due emphasis.

504. In view of the fact that the Preparatory Committee would consider at its fourth session the question of the final outcome of the World Conference, the Committee decided to recommend the consideration of the question of "Children in armed conflicts" as an illustration of a challenge to the full realization of all human rights of women and men, including those of persons belonging to vulnerable groups (see chap. I.I, recommendation to the Preparatory Committee).

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[19] A/CONF.157/PC/20, para. 5.

4. Fourth meeting of persons chairing the human rights treaty bodies

505. At its second session the Committee welcomed the holding of the meetings of persons chairing the human rights treaty bodies on a biennial basis. While welcoming the fact that it was going to participate, for the first time, in such a meeting, the Committee decided to bring, inter alia, the following issues to the attention of the fourth meeting of persons chairing the human rights treaty bodies:

(a) The innovative experience of holding informal meetings at the regional level;

(b) The essential access to all relevant sources of information pertaining to the functions of the Committee on the Rights of the Child. In this framework, the Committee, recognizing the high priority of the computerization of the work of the treaty-monitoring bodies, encouraged the fourth meeting of persons chairing the human rights treaty bodies to give particular consideration to this reality and to envisage the adoption of adequate and urgent recommendations;

(c) The dissemination of information on the Convention on the Rights of the Child and its monitoring mechanism in order to enhance implementation of the Convention;

(d) The issue of reservations and declarations that the Committee had tackled at that same session (see sect. D below; see also chap. I.G, second session, recommendation 4, and chap. I.H, second session, recommendation 5).

506. At its third session, the Committee was informed by the Chairperson about the important decisions taken and recommendations made by the meeting of chairpersons, held at Geneva from 12 to 16 October 1992, pursuant to General Assembly resolution 46/111 of 17 December 1991 and Commission on Human Rights resolution 1992/15. 20/

507. Particular emphasis was put on the consideration given by that meeting to the issues the Committee had decided to bring to its attention (see CRC/C/10, recommendation 5). The Committee was encouraged by the results achieved on these and other essential questions.

508. It welcomed the recommendation adopted by the chairpersons emphasizing the value of holding meetings of the treaty bodies outside Geneva, New York and Vienna and requesting the Secretary-General to explore innovative ways and means which would increase the likelihood of such meetings being organized.

509. The Committee was also extremely encouraged by the serious consideration given by the meeting of chairpersons to the question of reservations (see sect. E below), as well as by the positive consideration given to activities which it had already implemented to improve its methods of work, namely the organization by the Secretariat of a comprehensive country file on each State party whose report was to be considered 8/ and the compilation of general comments and general recommendations of the various treaty bodies, 13/ a measure which the Committee on the Rights of the Child had requested at its first session. 8/

20/ See A/47/628, annex.

510. Moreover, the Committee noted the important recommendation adopted by the meeting of chairpersons in support of the proposal that ways should be explored of empowering the Secretary-General and expert human rights bodies to bring massive violations of human rights to the attention of the Security Council. 9/

511. The Committee was extremely encouraged by the fact that this recommendation reflected the same concern as the urgent action procedure it had adopted at its second session, both being adequate measures to prevent the deterioration of a situation and to ensure an appropriate consideration of serious violations of human rights, and both encouraging the bringing of such cases to the consideration of relevant bodies according to their respective spheres of competence.

5. Technical advice and assistance and advisory services

(a) Technical assistance or advice

512. At its second session the Committee recognized that the exchange of views established with the different United Nations bodies and other competent bodies provided it with information on important programmes set up at the country and regional levels in relation to the rights of the child. It was clear that the Convention had become a basic framework and focal point when planning and implementing such programmes. Moreover, the indivisibility of the rights of the child had given way to an interaction between different agencies and competent bodies when considering programmes of technical assistance, either at the level of implementation or in the field of advocacy and training. Such activities would not only assist in the dissemination of information on the Convention but also raise awareness in this regard at the national and local community levels.

513. In the course of the discussion, it became clear that a common concern existed on the need to orient all these actions in order to build and develop a capacity at the national level to deal with the rights of the child. Particular interest was paid to the system of evaluation and follow-up of the launched programmes of technical assistance and advice, the Committee having been informed on the practice followed by United Nations bodies.

514. At its third session, the Committee emphasized the importance it attached to areas where technical assistance would seem appropriate in a particular country, as arising from the consideration of a State party's report, and in the light of article 45 (b) of the Convention.

515. It reaffirmed the value of cooperation with the different United Nations bodies and other competent bodies active in the relevant areas of implementation of the Convention. In this framework, it particularly stressed the need to be informed about existing specific programmes of technical assistance at the country level and about the difficulties faced in areas where an additional effort is required to build and develop the capacity at the national level.

516. The Committee recognized that the pre-sessional working group should be a special focal point for such an evaluation, emphasizing therefore the importance for the relevant bodies cooperating with the Committee in the implementation of the Convention to be represented in the informal technical advisory group established to assist the Committee in the preliminary consideration of the reports of States parties.

517. The Committee further recognized that, in the light of the provisions of article 45 (b) of the Convention, it would be important to indicate the areas of particular concern or to provide guidance for the implementation of ongoing or proposed programmes, in order to ensure that the system of international cooperation is fully consistent with the real needs and aspirations of children and in conformity with the spirit of the Convention.

518. For this purpose, the Committee decided to indicate, whenever appropriate, such considerations in its concluding observations on each country.

519. It also decided, in a case where the need for a specific programme of technical advice or assistance was identified, to encourage the convening of a meeting between the governmental delegation and the relevant United Nations or other competent bodies in the spirit of dialogue and cooperation envisaged by the Convention on the Rights of the Child, with a view to having a preliminary discussion of the suggested programme.

(b) Advisory services

520. At its second session, the Committee considered the different activities developed within this programme, as well as the opportunities it provided in order to reinforce the awareness and implementation of the Convention on the Rights of the Child. The Committee recalled the opportunity it would be given, following the examination of States parties reports, to make concrete suggestions and proposals for specific activities to be considered and implemented by the technical assistance and advisory services programme. In this regard, reference was made to the need to ensure an evaluation of such implementation and activities.

521. Members of the Committee reiterated the importance of the technical assistance and advisory services programme in relation to the rights of the child; they stressed the necessity to increase awareness among States parties that might face difficulties in the preparation and submission of reports or in the implementation of the Convention on the availability of this programme, and the possibility to obtain from it adequate support for the implementation of the Convention.

522. The Committee requested the Secretary-General to strengthen, in the framework of the technical assistance and advisory services programme of the Centre for Human Rights, the training activities related to the implementation of the Convention, as well as the organization of seminars and workshops at the national and local levels for the purpose of training those involved in the preparation of State party reports in accordance with the adopted reporting guidelines (CRC/C/10, recommendation 3, para. 4). It also encouraged the Secretary-General to consider the implementation of the Convention on the Rights of the Child as a priority matter within the fellowship programme (see CRC/C/10, recommendation 3, para. 6).

523. At its third session, the Committee continued to discuss issues related to the programme of advisory services and technical assistance. It was stressed that in cases where advisory services and technical assistance from the Centre for Human Rights were requested by a State party, a meeting with officials from the Centre would be encouraged in order to permit a preliminary assessment of available possibilities of support, particularly with a view to strengthening awareness of the Convention and ensuring training activities for those involved with its implementation or assistance in drafting adequate legislation.

524. A table indicating areas in which the need for technical advice and assistance and advisory services has been identified in the light of the concluding observations adopted by the Committee at its third to fifth sessions is contained in annex VII to the present report.

E. Reservations

525. At its second session, the Committee had before it the list of reservations, declarations and objections made to the Convention (CRC/C/2/Rev.1), as well as an informal note prepared by the Secretariat on the question of reservations made by States parties to the Convention on the Rights of the Child, following a request made by the Committee at its first session. Members of the Committee stressed the importance of contributing to the meeting of persons chairing the human rights treaty bodies and expressed the view that the question of reservations and declarations was an issue of common concern and interest to those bodies (see chap. I.H, second session, recommendation 5 D).

526. The Committee emphasized that the unprecedented number of States that had so rapidly ratified or adhered to the Convention on the Rights of the Child clearly illustrated the universal support for the principles enshrined therein and the political will and commitment of States parties to implement its provisions.

527. It was noted that some of the reservations and declarations made to the Convention contributed to reinforcing the standards it set forth. Such was the case, for example, of reservations and declarations entered by some States parties to the provisions of article 38, by which those States are raising the minimum age of recruitment into the armed forces. Some reservations and declarations, on the other hand, could express a restrictive interpretation of the provisions of the Convention. The Committee recognized the need to keep as its primary consideration the spirit of understanding and consensus deriving from the Convention, and not to refer to the question of reservations and declarations as a dividing factor which would undermine this spirit.

528. It was also stressed that the Convention had introduced a holistic approach to the rights of the child, which were all interrelated. The fact that each right was fundamental to the dignity of the child and had an impact on the enjoyment of other rights was to be taken into consideration dealing with the issue of reservations and declarations.

529. The Committee recognized the importance of tackling the question of reservations and declarations in the course of its consideration of reports submitted by States parties. In its dialogue with the reporting States, it should encourage those who had entered reservations and declarations to consider whether such reservations and declarations were still needed or could eventually be withdrawn. States parties should also be requested to provide the Committee with information on the way in which reservations and declarations they had entered were reflected and applied in their national legislations, taking into account the fact that in all actions concerning children the best interests of the child shall be a primary consideration.

530. At its third session, the Committee was extremely encouraged by the serious consideration given by the meeting of chairpersons held in Geneva from 12 to 16 October 1992 to the question of reservations, which is recognized to be a cause for alarm in view of the number, nature and scope of the reservations made to the principal human rights treaties. It took note of the recommendation made

in relation to reservations that give rise to significant questions in terms of their apparent incompatibility with the object and purpose of the treaty, according to which the respective treaty body should consider requesting the Economic and Social Council or the General Assembly, as appropriate, to request an advisory opinion on the issue from the International Court of Justice. 21/

531. The Committee recalled the consideration it had given to the question of reservations and declarations to the Convention on the Rights of the Child at its second session and emphasized the need to pursue this issue further. It emphasized the importance of systematically raising this question in the course of its consideration of reports submitted by States parties, an initiative which the meeting of chairpersons had fully encouraged.

532. At its fourth session, the Committee continued to tackle the question of reservations to the Convention within the framework of its consideration of State party reports.

533. It recalled in this connection the attention paid by the World Conference on Human Rights to this important question, in particular the appeal addressed to States to consider limiting the extent of reservations, ensuring that they are formulated as precisely and narrowly as possible and that they are not incompatible with the object and purpose of the Convention or contrary to international treaty law.

534. The Committee decided to pursue its dialogue with States parties on this issue in order to encourage them to consider withdrawing such reservations.

F. General thematic discussions

535. In accordance with rule 75 of its provisional rules of procedure, the Committee had decided, at its first session, to devote one or more meetings of its regular sessions to a general discussion on one specific article of the Convention or related subject in order to enhance a deeper understanding of the content and implications of the Convention.

1. Children in armed conflicts

536. At its first session, the Committee had decided to devote a day of its second session to the consideration of the topic "Children in armed conflicts". The decision to consider this topic was based on:

(a) The outstanding importance of this issue in the context of the promotion and protection of children's rights and the role the Convention can play in that respect;

(b) The fact that, in recent years, a growing number of conflicts have occurred (more than 150 since the Second World War), using more sophisticated and brutal weapons and fighting methods and affecting a growing number of civilians, particularly children;

(c) The urgency of creating awareness, raising concern and encouraging adequate action;

21/ A/47/628, annex, para. 61.

(d) The need to underline the complexity of the question of children in armed conflicts, which should not be simply reduced to the consideration of a single provision of the Convention, namely article 38.

537. In the consideration of the topic in light of the relevant provisions of the Convention, concerns of a different nature might be raised. Among them are:

(a) The relevance and adequacy of existing international instruments, including international humanitarian law, and the advisability of envisaging new standard-setting activities;

(b) The need to reinforce the adoption of preventive measures, designed either to prevent conflicts or to prevent children from taking direct or indirect part in the hostilities or suffering its effects;

(c) The need to ensure effective protection of children in a period of armed conflict, in the overall framework of the realization of all the rights of the child, inherent to his or her dignity and essential to the full and harmonious development of his or her personality;

(d) The need to ensure the promotion of the physical and psychological recovery and social reintegration of any child who is a victim of, or has been affected by, an armed conflict, in an environment which fosters the health, self-respect and dignity of the child.

538. During its second session, the Committee devoted its 38th and 39th meetings, on 5 October 1992, to a general discussion on "Children in armed conflicts".

Relevance and adequacy of existing standards

539. Reference was made to the different provisions applicable in the framework of children in armed conflicts, including the four Geneva Conventions, the additional Protocols, the Declaration on the Protection of Women and Children in Periods of Emergency and Armed Conflicts, the Declaration on the Rights of the Child and the Convention on the Rights of the Child. Mention was also made of other United Nations standards, such as the International Covenant on Civil and Political Rights and General Comment 17 adopted by the Human Rights Committee on article 24 of that Covenant.

540. It was pointed out that there were some situations in which children did not benefit from the protection of existing standards, as was very often the case in internal strife. There was therefore a need to consider a set of minimum humanitarian standards to be applicable in all situations to all children, without discrimination, in a period of armed conflict, thus filling any possible existing gaps.

541. When basing the consideration of the question of children in armed conflicts on the Convention itself, it was recalled that States parties have undertaken to respect and ensure all the rights set forth therein to all children within their jurisdiction (art. 2). States parties have also made a commitment to adopt all appropriate measures in order to achieve such a purpose (art. 4) and to ensure that, in all actions taken, the best interests of the child shall be a primary consideration (art. 3). None of these general provisions admit a derogation in time of war or emergency.

542. It was further recalled that the Convention, under its article 41, invites States parties always to apply the norms which are more conducive to the realization of the rights of the child, contained either in applicable international law or in national legislation. Finally, attention was drawn to the fact that States parties may also make declarations when ratifying or acceding to the Convention, expressing their commitment before the international community to apply more conducive standards than those directly deriving from the Convention, namely by not recruiting children under 18 years of age into the armed forces.

543. This framework led to the consideration of different needed actions: (a) ratification of, or accession to, existing relevant international instruments; (b) effective implementation of such standards; and (c) improvement of the existing normative framework.

Reinforcement of preventive measures

544. General measures designed to prevent the occurrence of conflicts were discussed. Emphasis was put on the role that education can play:

(a) Education in a spirit of understanding, solidarity and peace, as a general and continuous process, as reflected in article 29 of the Convention on the Rights of the Child;

(b) Education and training for the military and for groups working with and for children;

(c) Education and dissemination of information specifically for children.

Attention was also drawn to the need for creating awareness of the political grounds for the existence of conflicts; such an attitude may contribute to the consideration of solutions of mediation or conciliation designed to prevent the conflict or attenuate its effects.

545. Importance was also given to the question of arms expenditures, the sale of arms and the advisability of considering an adequate monitoring mechanism of this reality. As a general preventive measure, reference was also made to the prevention of child abuse and neglect, which could contribute to the prevention of future use of violence.

546. Specific preventive measures designed to prevent the involvement of children in armed conflicts were also discussed: mention was made of the interdiction of recruitment into the armed forces under a certain age, as well as of the adoption of measures ensuring that children will not take part in hostilities or suffer their effects.

Ensuring effective protection to children in situations of armed conflict

547. It was recalled that, apart from article 38, the overall framework of the realization of the rights of the child set forth by the Convention should be ensured. This framework was very often also reflected in the provisions that relate to protecting the family environment; ensuring the provision of essential care and assistance; ensuring access to health, food and education; prohibiting torture, abuse or neglect; prohibiting the death penalty; and the need to preserve the children's cultural environment, as well as the need for protection in situations of deprivation of liberty. Particular emphasis was also put on the need to ensure humanitarian assistance and relief and humanitarian access to

children in situations of armed conflict. In this respect, special attention was paid to important measures, such as days of tranquillity and corridors of peace.

Promotion of physical and psychological recovery and social reintegration

548. Consideration was particularly given to article 39 of the Convention. Different experiences and programmes were brought to the attention of the Committee concerning the need for resources and goods (namely, food and medicine). Moreover, emphasis was put on the need to consider a coherent plan for recovery and reintegration, to be planned and implemented in a combined effort by United Nations bodies and non-governmental organizations. Attention should be paid to (a) the implementation and monitoring of adequate strategies and (b) the need to reinforce the involvement of the family and the local community in this process.

Follow-up to the general discussion

549. In view of the different contributions made and the problems considered, the Committee recognized that there was a need for a continuous response to the outstanding and complex question of children in armed conflicts, in the framework of its mandate. It therefore envisaged different measures which it could take to face this problem:

(a) Development of more specific guidelines for the implementation of the more relevant provisions, namely articles 38 and 39;

(b) Drafting of a set of recommendations;

(c) Consideration of a preliminary general comment;

(d) Realization of general studies on certain aspects of the problem;

(e) Preliminary drafting of a future optional protocol to the Convention on the Rights of the Child raising the age of recruitment of children into the armed forces to 18 years of age.

550. To consider these different measures, in the light of the general discussion, the Committee decided to establish a working group composed of some of its members, to be entrusted with the task of submitting final proposals at the next regular session of the Committee, scheduled for January 1993.

551. Furthermore, the Committee highlighted that, in the task of examining States parties reports, it could envisage:

(a) Welcoming the declaration made by some States parties on the decision they had taken not to recruit children under the age of 18 years;

(b) Emphasizing the need for information on the legislation and practice of States parties, as far as the application of article 38 is concerned;

(c) Seeking information, in light of article 41, on whether the most conducive norms are applied, or encouraging the adoption of more protective provisions at the national level;

(d) Encouraging States parties to consider, when recruitment into the armed forces is admitted under the age of 18 years, how this situation takes the best interests of the child as a primary consideration;

(e) Emphasizing and encouraging States parties to consider, in their continuous process of monitoring progress, whether all necessary and appropriate measures have been adopted to ensure the full realization of the rights of the child, to all children under their jurisdiction.

552. At the third session, the working group entrusted with the task of submitting proposals for the follow-up to the discussion presented an oral report to the Committee on its activities, reflecting the consideration it had given to the plurality of possible measures to be undertaken in this respect, including the level of priority they might deserve. It emphasized once again the relevance of the general discussion for the study and the deeper understanding of this outstanding reality and for the establishment of an important framework for its future activities.

553. The Committee recognized the need to ensure continuous attention to this problem and to benefit from the experience of its examination of States parties' reports to envisage further steps, in particular for the consideration of a general comment or the draft of a set of recommendations or specific guidelines.

554. The Committee envisaged the adoption of the following priority measures:

(a) To recommend, in view of the serious way in which armed conflicts affect the enjoyment by children of their basic rights and in order to focus greater attention on this reality, to the General Assembly that it request at its forty-eighth session the Secretary-General to undertake, in the light of article 45 (c) of the Convention, a study on ways and means of improving the protection of children from the adverse effects of armed conflicts (see chap. I.J, third session, recommendation 1 and annex V to the present report);

(b) To entrust one of its members with the task of preparing a preliminary draft of an optional protocol to the Convention raising to 18 years the age mentioned in article 38 of the Convention. This preliminary draft is to be found as annex VIII to the present report. In this framework, the Committee encouraged States parties to give consideration to the adoption of possible measures aimed at raising the age mentioned in article 38 to 18 years;

(c) To address the issue of the involvement of children in armed conflicts in a recommendation to be submitted to the fourth session of the Preparatory Committee for the World Conference (see chap. I.I. and CRC/C/16, annex V);

(d) To include in the list of topics identified by the Committee as possible subjects for study the question of recovery and reintegration, in the light of article 39 of the Convention.

555. Finally, the Committee welcomed the decisive and important contribution made to the general discussion on children in armed conflicts by the different bodies invited, the Special Rapporteur of the Commission on Human Rights on the sale of children, United Nations organs, specialized agencies and other competent bodies, including non-governmental organizations, which had ensured a lively dialogue, in-depth consideration of the different areas covered and an overall approach to this reality, in the framework of the Convention on the Rights of the Child.

556. The Committee therefore decided to send a letter to those who had participated in the general discussion to thank them for their contribution and to inform them about the follow-up measures adopted by the Committee.

557. The Committee considered, in the framework of the general discussion on children in armed conflicts, the serious situation of children in the former Yugoslavia and the reports of violations of fundamental human rights, including allegations of rape of girls and women in Bosnia and Herzegovina.

558. The Committee recalled in this perspective the ratification by Yugoslavia of the Convention on the Rights of the Child in January 1991. It also took note of the consideration by the Human Rights Committee of the situation in Croatia, Bosnia and Herzegovina and Yugoslavia. In view of the gravity of the situation and the need to envisage ways to alleviate the plight of the affected children and to ensure the full respect and protection of their rights, the Committee decided to bring its concerns to the attention of the Special Rapporteur appointed by the Commission on Human Rights to follow the situation of human rights in the territory of the former Yugoslavia. The Committee furthermore invited the Special Rapporteur to take part in its discussions on the question of children in armed conflicts. Through such a dialogue, the Committee would have expected to raise a wider awareness of the way in which armed conflicts affect children, particularly when they are even used as a target for military strategy, and to encourage the consideration of measures guided by the best interests of the child. It would have also hoped that these concerns might be reflected in the reports to be submitted by the Special Rapporteur to the Commission on Human Rights. Since it was not possible to benefit from his presence, the Committee decided to address a recommendation to the Special Rapporteur, requesting him, in fulfilling his mandate and preparing his future reports, to take the Convention on the Rights of the Child into full consideration (see chap. I.G, third session, recommendation 3). It further expressed its willingness to meet the Special Rapporteur at one of its future meetings, in order to pursue the consideration of this issue.

559. At its fourth session, the Committee, taking note of the request addressed to it by the World Conference on Human Rights to study the question of raising the minimum age of recruitment into armed forces, requested the Secretary-General to transmit to the Commission on Human rights at its fiftieth session the preliminary draft optional protocol the Committee had prepared on this issue at its third session. 22/

2. Economic exploitation of children

560. At its second session, the Committee decided to devote a day of its fourth session to the general discussion of the topic of "Economic exploitation of the child".

561. At its third session, the Committee entrusted some of its members with the task of drafting an outline identifying the main areas of concern of the Committee in this regard (see CRC/C/16, annex III).

562. The Committee further decided to send this outline to specialized agencies, other relevant United Nations bodies, including the Committee on Economic, Social and Cultural Rights, the Human Rights Committee and the Subcommission's Working Group on Contemporary Forms of Slavery, non-governmental organizations

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22/ See chap. I.J, fourth session, recommendation 5 and E/CN.4/1994/91.

and other competent bodies, inviting them to participate in this general discussion and to submit written contributions in advance.

563. At its fourth session, the Committee devoted its 95th and 96th meetings, on 4 October 1993, to the general discussion on the economic exploitation of children. The decision to consider this topic reflected the importance of the issue in the framework of the promotion and protection of the rights of the child, the urgency of creating awareness and raising concern at the growing number of children in situations of economic exploitation, the need for integrated and concerted action by Governments, United Nations bodies and other competent bodies active in the field of the rights of the child, as well as the decisive role the Convention on the Rights of the Child could play in that regard.

564. The Committee had been provided with some important background documents, in addition to the two Programmes of Action adopted by the Commission on Human Rights for the Elimination of Child Labour and for the Prevention of the Sale of Children, Child Prostitution and Child Pornography.

565. The Committee took note of the steps taken in that regard by the Subcommission on Prevention of Discrimination and Protection of Minorities, namely its decision, contained in resolution 1993/5 of 20 August 1993, to appoint a Special Rapporteur to update the report of Mr. Abdelwahab Boudhiba on the exploitation of child labour. 16/

566. The Special Rapporteur on the sale of children, child prostitution and child pornography also submitted a document concerning the steps he has taken within the framework of his mandate and made a statement before the Committee.

567. The general discussion was a meaningful occasion for a fruitful exchange of views between the members of the Committee and United Nations bodies, specialized agencies and other competent bodies, in particular non-governmental organizations.

568. Situations of child labour, including the question of domestic servants, child prostitution and pornography and sale of children, were considered by the participants. During the discussion, which was introduced by members of the Committee (Mrs. Marta Santos Pais, Mr. Thomas Hammarberg and Mrs. Akila Belembaogo; see CRC/C/20 (annex V), particular emphasis was put on the need for the child to be put at the centre of all policies, whether they are adopted by international financial institutions, development agencies or Governments. Attention was also drawn to the need to respect the dignity of the child, while enhancing the values of solidarity, participation and equity.

569. The discussion made clear the need for a comprehensive and concerted action for prevention, protection and rehabilitation. The need to strengthen preventive action was stressed and education was referred to in that regard as an essential tool. Recommendations were also made in the field of the protection of the rights of the child, including the establishment of an Ombudsperson who might intervene and assist the child victim of economic exploitation. The important role of recovery and social reintegration of child victims of any form of economic exploitation was recognized. At all levels of action, effective coordination was stressed as an essential aspect to the achievement of progress, both at the national and the international levels.

570. The discussion emphasized the relevance of the general principles of the Convention to assess the reality, design adequate policies and implement

effective plans of action to combat the plight of exploited children and ensure the effective enjoyment of their right to childhood.

571. In view of the contributions made and the importance of the problems considered, the Committee recognized that there was a need for a continuous response to this urgent question. It therefore decided (a) to make a public statement on the outcome of the general discussion day (see CRC/C/20, annex VI); (b) to establish a working group among its members to prepare, in the light of the discussion and of the provisions of the Convention, a set of recommendations to be considered at its regular session scheduled for January 1994; (c) to consider issuing a publication based on the general discussion on the economic exploitation of children.

572. At the Committee's fifth session, in the light of the above-mentioned mandate, the working group made two proposals which were endorsed by the Committee at its fifth session:

(a) The compilation of a dossier, putting together an extended record of the theme day, containing the statements made on behalf of the Committee (ibid., annexes V and VI), the summary records of the discussion reflecting the statements made by the participants in the meeting, including the Special Rapporteur of the Commission on Human Rights on sale of children, child prostitution and child pornography, as well as basic documents adopted within the framework of the United Nations system in the field of the protection of children against economic exploitation, namely, the two Programmes of Action adopted by the Commission on Human Rights for the Elimination of the Exploitation of Child Labour (resolution 1993/79, annex), and for the Prevention of the Sale of Children, Child Prostitution and Child Pornography (resolution 1992/74, annex). This dossier, to be produced and distributed in close cooperation with the International Labour Organization, should be brought to the attention of all States parties, United Nations organs and specialized agencies, financial institutions and development agencies, and other bodies competent in the field, including Interpol and the non-governmental organization community (see CRC/C/24, annex IV);

(b) The adoption of the following set of recommendations for follow-up initiatives, designed to improve the system of prevention, protection and rehabilitation regarding children in situations of economic exploitation:

Recommendations concerning economic exploitation of children

> The Committee on the Rights of the Child, recognizing the importance of the problems considered during its general discussion on the economic exploitation of children, namely, relating to child labour, including in the informal sector as is the case of domestic servants, the sale of children, child prostitution and child pornography, and in the light of the fruitful exchange of views between the Committee and United Nations organs, specialized agencies and other competent bodies, in particular non-governmental organizations, decided to continue to pay attention to this reality in the framework of its activities and to adopt a set of recommendations in this area.

Introduction

1. The general discussion on the economic exploitation of children reflected the important holistic approach to the human rights of children stressed in the Convention on the Rights of the Child. In this spirit, the Committee on the Rights of the Child recalls that all the rights are indivisible and interrelated, each and all of them being inherent to the human dignity of the child. The implementation of each right set forth in the Convention, as is the case of the right to be protected from economic exploitation, should therefore take into account the implementation of, and respect for, all the other rights of the child.

2. The Committee further recalls that, under the Convention, States parties have undertaken to respect and ensure all the rights recognized therein to all children under their jurisdiction, without discrimination of any kind (art. 2), to adopt all appropriate measures in order to achieve that purpose (art. 4) and, in all actions taken, to regard the best interests of the child as their primary consideration (art. 3). Moreover, in all matters affecting the child, the views of the child should be given due weight and the child given the opportunity of participating in any decision-making process affecting his or her life (art. 12).

3. This general framework naturally applies also in situations of economic exploitation of children. Here, as elsewhere, the Convention calls upon States parties to take action through the establishment, in conformity with its principles and provisions, of an adequate legal framework and necessary mechanisms of implementation.

4. Such measures will strengthen the prevention of situations of economic exploitation and of their detrimental effects on the lives of children, should be aimed at reinforcing the system of children's protection and will promote the physical and psychological recovery and social reintegration of children victims of any form of economic exploitation, in an environment which fosters the health, self-respect and dignity of the child.

5. Through its reporting system (see part II of the Convention), the Convention also stresses the importance for States parties to ensure a periodic assessment and evaluation of progress achieved in the implementation of the Convention. This monitoring activity will enable States parties to review their laws and policies on a regular basis and to focus on areas where further or other action is required. The Committee therefore recalls the relevance of the reporting system to improve the situation of children and invites States, United Nations organs, specialized agencies and other competent bodies to consider, in the specific framework of the protection of the child from economic exploitation, the recommendations set out below.

6. The Committee recognizes that only through comprehensive and concerted action by all relevant entities in the field of the rights of the child will it be possible to improve and ensure the success of policies of prevention, protection and rehabilitation regarding economically exploited children. For this reason, it stresses the importance of, and the need for, coordination, at both the national and international levels.

7. The Committee recommends in this regard the establishment of a national mechanism for coordinating policies and monitoring the implementation of the Convention on the Rights of the Child, having

specific competence in the area of protection from economic exploitation. Such a coordinating mechanism (as is the case of a National Committee or National Commission on the Rights of the Child), being composed of the various competent entities at the country level, is in a position to ensure a global and multidisciplinary approach to the implementation of the Convention and to promote effective interaction and complementarity of the activities developed. Furthermore, it may facilitate the gathering of all relevant information, enable a systematic and accurate evaluation of the reality and pave the way for the consideration of new strategies for the promotion and protection of the rights of the child, including in the field of protection from economic exploitation.

8. The coordinating mechanism will also be an important reference focal point for the work of non-governmental organizations, including workers' and employers' organizations, whose cooperation should be encouraged. In fact, as the World Conference on Human Rights recognized, such organizations play an important role in the effective implementation of the Convention, namely in the fields of advocacy, education, training or rehabilitation - areas which are also of crucial importance in protecting children from any form of economic exploitation.

9. The Committee recalls the essential role attached by the Convention on the Rights of the Child to international cooperation. It further recalls that the World Conference on Human Rights recognized the need for international cooperation and solidarity to be promoted to support the implementation of the Convention, and that the rights of the child should be given a priority in the United Nations system.

10. The Committee therefore encourages States to consider ways of strengthening their cooperation and solidarity for the promotion of the rights of the child, namely at the bilateral and regional levels.

11. The Committee also encourages the relevant United Nations organs and specialized agencies, international financial institutions and development agencies to enhance the coordination and interaction of their activities, including in the area of the protection of children against any form of economic exploitation.

12. The Committee further encourages United Nations organs and specialized agencies regularly to review and monitor the human rights and the situation of children, in accordance with their mandates. In this framework, the Committee recalls the decisive relevance of the Convention as an inspiring and legal framework for programmes of technical advice and assistance and reaffirms the catalytic role the Committee intends to continue to play as a focal point on the rights of the child within United Nations system-wide action.

13. The Committee stresses the essential importance of information and education to ensure the prevention of situations of economic exploitation, as well as to protect and rehabilitate children affected thereby.

14. The Committee recalls in this framework that States parties undertake to make the principles and the provisions of the Convention on the Rights of the Child widely known, by appropriate and active means, both to adults and children (art. 42).

15. For this purpose, the Committee recommends that States parties launch wide information campaigns on the Convention specifically addressed to children, in order for them to become aware of their rights (including the rights to study, to play and to take rest), of the measures of protection they can benefit from and of the risks they face when they are involved in situations of economic exploitation - as in the case of activities harmful to their health, preventing their harmonious development, interfering with their education, or involving them in criminal activities.

16. Similarly, information campaigns aimed at the public in general, including at the family and community levels and addressed to workers and employers, should be envisaged in order to raise consciousness and a deeper understanding of the Convention, in particular to ensure respect for the dignity of the child, to prevent discriminatory attitudes, and to achieve effective protection of children against situations of economic exploitation. Training for special professional groups working with or for children, including teachers, law enforcement officials, judges and social workers, should also be organized and will contribute to preventing discrimination and the marginalization and stigmatization of the child, as well as encouraging the taking of the child's perspective into due account.

17. All these different activities, which should be developed in close cooperation between governmental and non-governmental entities, and in which the media have an important role to play, will contribute to bringing to light situations of economic exploitation, often illicit and clandestine, as well as to overcoming public apathy and indifference towards those situations. Such action will, furthermore, permit an understanding of the extent of existing problems and consideration of the adoption of the measures necessary to face them.

18. The Committee stresses the importance of education as an essential preventive measure to counter situations of economic exploitation of children. It therefore recommends that education be given due weight, namely by making primary education compulsory and free for all children. Furthermore, education should be envisaged, as recognized by the Convention on the Rights of the Child, as a decisive tool to ensure the full development of the child's personality, talents and abilities, the occasion to give the child an opportunity to experience childhood while preparing him or her for a responsible life in society, benefiting from equal opportunities to make free and informed choices.

19. The Committee also recommends that the Convention be considered, within the framework of school curricula, as a meaningful illustration of education for human rights, as well as an incentive to encourage the participation of children in school and social life, including through the establishment of or membership in children's organizations. In the case of children legally employed, and in the light of article 32 of the Convention, a flexible system of education should be implemented.

20. In the area of the protection of the child from economic exploitation, the Committee considers the child as a person who should be given the benefit of respect and solidarity within the family and society.

21. In the case of sexual exploitation or exploitation through work, the Committee considers the child as a victim who should be given the benefit of special protection in terms of health, education and development.

22. In any event, the following must be strictly forbidden:

(a) Activities jeopardizing the development of the child or contrary to human values and dignity;

(b) Activities involving cruel, inhuman or degrading treatment, the sale of children or situations of servitude;

(c) Activities that are dangerous or harmful to the child's harmonious physical, mental and spiritual development or are liable to jeopardize the future education and training of the child;

(d) Activities involving discrimination, particularly with regard to vulnerable and marginalized social groups;

(e) All activities under the minimum ages referred to in article 32, paragraph 2, of the Convention on the Rights of the Child and in particular those recommended by ILO;

(f) All activities using the child for legally punishable criminal acts, such as trafficking in drugs or prohibited goods.

23. In accordance with article 32 of the Convention on the Rights of the Child, every child has the right to be protected from economic exploitation. Taking into consideration the best interests of the child, States parties must formulate standards or revise legislation in force with a view to ensuring the legal protection of the child from any form of exploitation. States parties are invited to take all legislative, administrative and other measures aimed at ensuring the protection of the child, taking account of all forms of employment, including employment within the family and in the agricultural sector and informal employment.

24. States parties must also take measures to ensure the rehabilitation of children who, as a result of economic exploitation, are exposed to serious physical and moral danger. It is essential to provide these children with the necessary social and medical assistance and to envisage social reintegration programmes for them in the light of article 39 of the Convention on the Rights of the Child.

3. Role of the family in the promotion of the rights of the child

573. The Committee decided at its fourth session to devote its future day of general discussion, to be held during the International Year of the Family, to the theme "Role of the family in the promotion of the rights of the child" (CRC/C/20, para. 18). (See also in this connection chap. I.G, third session, recommendation 3, and fourth session, recommendation 4.) At its fifth session, the Committee decided that the general discussion would take place on 10 October 1994.

574. To prepare the thematic discussion, the Committee established a working group among its members entrusted with the task of formulating an outline identifying the main issues to be raised during the discussion of the topic. The text of this outline (see CRC/C/24, annex V) emphasizes the relevance of the general principles of the Convention on the Rights of the Child and identifies two basic areas of concern:

(a) Evolution and importance of the family;

(b) Civil rights and freedoms within the family.

575. Recalling its experience in the organization of thematic discussions, and taking into consideration the spirit of article 45 of the Convention, the Committee also decided to send this outline to United Nations organs, specialized agencies and other competent bodies, including non-governmental organizations, research and academic institutions.

576. The Committee further stressed the importance of ensuring a follow-up to a recommendation adopted at its first session 23/ and addressed an invitation to the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women to participate in the general discussion, and in that framework to discuss matters of mutual concern.

577. Moreover, the Committee welcomed the report submitted by UNHCR on its preparation for the International Year of the Family, envisaged as a special opportunity for better planning and more effective implementation of programmes with refugees as partners.

23/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 41 (A/47/41), chap.I, recommendation 3.

ANNEX I

States that have ratified or acceded to the Convention on the Rights of the Child as at 28 January 1994

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Albania	26 January 1990	27 February 1992	28 March 1992
Algeria	26 January 1990	16 April 1993	16 May 1993
Angola	14 February 1990	5 December 1990	4 January 1991
Antigua and Barbuda	12 March 1991	5 October 1993	4 November 1993
Argentina	29 June 1990	4 December 1990	3 January 1991
Armenia		23 June 1993 a/	22 July 1993
Australia	22 August 1990	17 December 1990	16 January 1991
Austria	26 January 1990	6 August 1992	5 September 1992
Azerbaijan		13 August 1992 a/	12 September 1992
Bahamas	30 October 1990	20 February 1991	22 March 1991
Bahrain		13 February 1992 a/	14 March 1992
Bangladesh	26 January 1990	3 August 1990	2 September 1990
Barbados	19 April 1990	9 October 1990	8 November 1990
Belarus	26 January 1990	1 October 1990	31 October 1990
Belgium	26 January 1990	16 December 1991	15 January 1992
Belize	2 March 1990	2 May 1990	2 September 1990
Benin	25 April 1990	3 August 1990	2 September 1990
Bhutan	4 June 1990	1 August 1990	2 September 1990
Bolivia	8 March 1990	26 June 1990	2 September 1990
Bosnia and Herzegovina b/			6 March 1992
Brazil	26 January 1990	24 September 1990	24 October 1990
Bulgaria	31 May 1990	3 June 1991	3 July 1991
Burkina Faso	26 January 1990	31 August 1990	30 September 1990
Burundi	8 May 1990	19 October 1990	18 November 1990
Cambodia	22 September 1992	15 October 1992	14 November 1992
Cameroon	25 September 1990	11 January 1993	10 February 1993
Canada	28 May 1990	13 December 1991	12 January 1992
Cape Verde		4 June 1992 a/	4 July 1992
Central African Republic	30 July 1990	23 April 1992	23 May 1992
Chad	30 September 1990	2 October 1990	1 November 1990
Chile	26 January 1990	13 August 1990	12 September 1990
China	29 August 1990	2 March 1992	1 April 1992
Colombia	26 January 1990	28 January 1991	27 February 1991
Comoros	30 September 1990	22 June 1993	21 July 1993
Congo		14 October 1993 a/	13 November 1993

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Costa Rica	26 January 1990	21 August 1990	20 September 1990
Côte d'Ivoire	26 January 1990	4 February 1991	6 March 1991
Croatia b/			8 October 1991
Cuba	26 January 1990	21 August 1991	20 September 1991
Cyprus	5 October 1990	7 February 1991	9 March 1991
Czech Republic b/			1 January 1993
Democratic People's Republic of Korea	23 August 1990	21 September 1990	21 October 1990
Denmark	26 January 1990	19 July 1991	18 August 1991
Djibouti	30 September 1990	6 December 1990	5 January 1991
Dominica	26 January 1990	13 March 1991	12 April 1991
Dominican Republic	8 August 1990	11 June 1991	11 July 1991
Ecuador	26 January 1990	23 March 1990	2 September 1990
Egypt	5 February 1990	6 July 1990	2 September 1990
El Salvador	26 January 1990	10 July 1990	2 September 1990
Equatorial Guinea		15 June 1992 a/	15 July 1992
Estonia		21 October 1991 a/	20 November 1991
Ethiopia		14 May 1991 a/	13 June 1991
Fiji	2 July 1993	13 August 1993	12 September 1993
Finland	26 January 1990	20 June 1991	20 July 1991
France	26 January 1990	7 August 1990	6 September 1990
Gambia	5 February 1990	8 August 1990	7 September 1990
Germany	26 January 1990	6 March 1992	5 April 1992
Ghana	29 January 1990	5 February 1990	2 September 1990
Greece	26 January 1990	11 May 1993	10 June 1993
Grenada	21 February 1990	5 November 1990	5 December 1990
Guatemala	26 January 1990	6 June 1990	2 September 1990
Guinea		13 July 1990 a/	2 September 1990
Guinea-Bissau	26 January 1990	20 August 1990	19 September 1990
Guyana	30 September 1990	14 January 1991	13 February 1991
Holy See	20 April 1990	20 April 1990	2 September 1990
Honduras	31 May 1990	10 August 1990	9 September 1990
Hungary	14 March 1990	7 October 1991	6 November 1991
Iceland	26 January 1990	28 October 1992	27 November 1992
India		11 December 1992 a/	11 January 1993
Indonesia	26 January 1990	5 September 1990	5 October 1990
Ireland	30 September 1990	28 September 1992	28 October 1992
Israel	3 July 1990	3 October 1991	2 November 1991
Italy	26 January 1990	5 September 1991	5 October 1991
Jamaica	26 January 1990	14 May 1991	13 June 1991
Jordan	29 August 1990	24 May 1991	23 June 1991

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Kenya	26 January 1990	30 July 1990	2 September 1990
Kuwait	7 June 1990	21 October 1991	20 November 1991
Lao People's Democratic Republic		8 May 1991 a/	7 June 1991
Latvia		14 April 1992 a/	14 May 1992
Lebanon	26 January 1990	14 May 1991	13 June 1991
Lesotho	21 August 1990	10 March 1992	9 April 1992
Liberia	26 April 1990	4 June 1993	4 July 1993
Libyan Arab Jamahiriya		15 April 1993 a/	15 May 1993
Lithuania		31 January 1992 a/	1 March 1992
Madagascar	19 April 1990	19 March 1991	18 April 1991
Malawi		2 January 1991 a/	1 February 1991
Maldives	21 August 1990	11 February 1991	13 March 1991
Mali	26 January 1990	20 September 1990	20 October 1990
Malta	26 January 1990	30 September 1990	30 October 1990
Marshall Islands	14 April 1993	4 October 1993	3 November 1993
Mauritania	26 January 1990	16 May 1991	15 June 1991
Mauritius		26 July 1990 a/	2 September 1990
Mexico	26 January 1990	21 September 1990	21 October 1990
Micronesia (Federated States of)		5 May 1993 a/	4 June 1993
Monaco		21 June 1993 a/	21 July 1993
Mongolia	26 January 1990	5 July 1990	2 September 1990
Morocco	26 January 1990	21 June 1993	21 July 1993
Myanmar		15 July 1991 a/	14 August 1991
Namibia	26 September 1990	30 September 1990	30 October 1990
Nepal	26 January 1990	14 September 1990	14 October 1990
New Zealand	1 October 1990	6 April 1993	6 May 1995
Nicaragua	6 February 1990	5 October 1990	4 November 1990
Niger	26 January 1990	30 September 1990	30 October 1990
Nigeria	26 January 1990	19 April 1991	19 May 1991
Norway	26 January 1990	8 January 1991	7 February 1991
Pakistan	20 September 1990	12 November 1990	12 December 1990
Panama	26 January 1990	12 December 1990	11 January 1991
Papua New Guinea	30 September 1990	1 March 1993	31 March 1993
Paraguay	4 April 1990	25 September 1990	25 October 1990
Peru	26 January 1990	4 September 1990	4 October 1990

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Philippines	26 January 1990	21 August 1990	20 September 1990
Poland	26 January 1990	7 June 1991	7 July 1991
Portugal	26 January 1990	21 September 1990	21 October 1990
Republic of Korea	25 September 1990	20 November 1991	20 December 1991
Republic of Moldova		26 January 1993 a/	25 February 1993
Romania	26 January 1990	28 September 1990	28 October 1990
Russian Federation	26 January 1990	16 August 1990	15 September 1990
Rwanda	26 January 1990	24 January 1991	23 February 1991
Saint Kitts and Nevis	26 January 1990	24 July 1990	2 September 1990
Saint Lucia		16 June 1993 a/	16 July 1993
Saint Vincent and the Grenadines	20 September 1993	26 October 1993	25 November 1993
San Marino		25 November 1991 a/	25 December 1991
Sao Tome and Principe		14 May 1991 a/	13 June 1991
Senegal	26 January 1990	31 July 1990	2 September 1990
Seychelles		7 September 1990 a/	7 October 1990
Sierra Leone	13 February 1990	18 June 1990	2 September 1990
Slovakia b/			1 January 1993
Slovenia b/			25 June 1991
Spain	26 January 1990	6 December 1990	5 January 1991
Sri Lanka	26 January 1990	12 July 1991	11 August 1991
Sudan	24 July 1990	3 August 1990	2 September 1990
Suriname	26 January 1990	1 March 1993	31 March 1993
Sweden	26 January 1990	29 June 1990	2 September 1990
Syrian Arab Republic	18 September 1990	15 July 1993	14 August 1993
Tajikistan		26 October 1993 a/	25 November 1993
Thailand		27 March 1992 a/	26 April 1992
The former Yugoslav Republic of Macedonia b/			2 December 1993
Togo	26 January 1990	1 August 1990	2 September 1990
Trinidad and Tobago	30 September 1990	5 December 1991	4 January 1992
Tunisia	26 February 1990	30 January 1992	29 February 1992
Turkmenistan		20 September 1993 a/	19 October 1993
Uganda	17 August 1990	17 August 1990	16 September 1990
Ukraine	21 February 1991	28 August 1991	27 September 1991
United Kingdom of Great Britain and Northern Ireland	19 April 1990	16 December 1991	15 January 1992
United Republic of Tanzania	1 June 1990	10 June 1991	10 July 1991

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Uruguay	26 January 1990	20 November 1990	20 December 1990
Vanuatu	30 September 1990	7 July 1993	6 August 1993
Venezuela	26 January 1990	13 September 1990	13 October 1990
Viet Nam	26 January 1990	28 February 1990	2 September 1990
Yemen	13 February 1990	1 May 1991	31 May 1991
Yugoslavia	26 January 1990	3 January 1991	2 February 1991
Zaire	20 March 1990	27 September 1990	27 October 1990
Zambia	30 September 1990	5 December 1991	5 January 1992
Zimbabwe	8 March 1990	11 September 1990	11 October 1990

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a/ Accession.

b/ Succession.

ANNEX II

Agendas of the second, third, fourth and fifth sessions of the Committee on the Rights of the Child

A. Second session

At its 28th meeting, on 28 September 1992, the Committee adopted the provisional agenda submitted by the Secretary-General (CRC/C/9). The agenda of the second session, as adopted, was as follows:

1. Adoption of the agenda.

2. Filling of vacancy.

3. Solemn declaration by a newly appointed member of the Committee.

4. Review of developments relevant to the work of the Committee, including:

    (a) Action by the General Assembly at its forty-sixth session;

    (b) Action by the Commission on Human Rights at its forty-eighth session;

    (c) Developments in other human rights treaty-monitoring bodies.

5. Preparatory activities relating to the World Conference on Human Rights.

6. Submission of reports by States parties in accordance with article 44 of the Convention.

7. System of documentation and information.

8. Matters relating to the methods of work of the Committee and the pre-sessional working group in respect of the consideration of reports to be submitted by States parties in accordance with article 44 of the Convention, including:

    (a) Consideration of the question of technical advice or assistance;

    (b) Consideration of the question of an informal technical advisory group.

9. Consideration of information required under each section of the reporting guidelines.

10. General discussion on children in armed conflicts.

11. Question of urgent appeals.

12. Future studies.

13. Future meetings.

14. Other matters.

B. Third session

At its 47th meeting, on 11 January 1993, the Committee adopted the provisional agenda (CRC/C/13). The agenda of the third session, as adopted, was as follows:

1. Adoption of the agenda.
2. Information by the secretariat on action taken pursuant to decisions adopted by the Committee.
3. Submission of reports by States parties under article 44 of the Convention.
4. Report of the fourth meeting of persons chairing the human rights treaty bodies.
5. Preparatory activities relating to the World Conference on Human Rights.
6. Consideration of the question of indicators.
7. Follow-up to the general discussion on children in armed conflicts.
8. Matters relating to the methods of work of the Committee.
9. System of documentation and information.
10. Future studies.
11. Consideration of reports submitted by States parties under article 44 of the Convention.
12. Future meetings of the Committee.
13. Other matters.

C. Fourth session

At its 75th meeting, on 20 September 1993, the Committee adopted the provisional agenda (CRC/C/17). The agenda of the fourth session, as adopted, was as follows:

1. Opening of the session by the representative of the Secretary-General.
2. Solemn declaration by the newly elected members of the Committee.
3. Election of the officers of the Committee.
4. Adoption of the agenda.

5. Organizational and other matters.

6. Review of developments relevant to the work of the Committee.

7. Submission of reports by States parties in accordance with article 44 of the Convention.

8. Consideration of reports submitted by States parties under article 44 of the Convention.

9. World Conference on Human Rights.

10. Question of indicators.

11. General discussion on protection of the child against economic exploitation.

12. Methods of work of the Committee.

13. System of documentation and information.

14. Future meetings of the Committee.

15. Other matters.

D. Fifth session

At its 105th meeting, on 10 January 1994, the Committee adopted the provisional agenda (CRC/C/21). The agenda of the fifth session, as adopted, was as follows:

1. Adoption of the agenda.

2. Organizational and other matters.

3. Information by the secretariat on the action taken pursuant to decisions adopted by the Committee at its previous sessions.

4. Submission of reports by States parties in accordance with article 44 of the Convention.

5. Consideration of reports of States parties.

6. System of documentation and information.

7. Question of indicators.

8. Follow-up on the general discussion on protection of the child against economic exploitation.

9. Cooperation with other United Nations bodies and specialized agencies.

10. Methods of work of the Committee.

11. Future meetings.

12. Other matters.

13. Biennial report of the Committee on its activities.

ANNEX III

Membership of the Committee on the Rights of the Child

(1993-1995)

Name	Country of nationality
Mrs. Hoda BADRAN*	Egypt
Mr. Luis A. BAMBAREN GASTELUMENDI**	Peru
Mrs. Akila BELEMBAOGO**	Burkina Faso
Mrs. Flora C. EUFEMIO*	Philippines
Mr. Thomas HAMMARBERG**	Sweden
Mr. Youri KOLOSOV**	Russian Federation
Miss Sandra Prunella MASON**	Barbados
Mr. Swithun Tachiona MOMBESHORA*	Zimbabwe
Mrs. Marta SANTOS PAIS*	Portugal
Mrs. Marilia SARDENBERG ZELNER GONÇALVES*	Brazil

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* Term expires on 28 February 1997.

** Term expires on 28 February 1995.

ANNEX IV

STATUS OF SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION ON THE RIGHTS OF THE CHILD

A. Initial reports due in 1992

State party	Date of entry into force	Initial report: date due	Date of submission	Symbol
Bangladesh	2 September 1990	1 September 1992		
Barbados	8 November 1990	7 November 1992		
Belarus	31 October 1990	30 October 1992	12 February 1993	CRC/C/3/Add.14
Belize	2 September 1990	1 September 1992		
Benin	2 September 1990	1 September 1992		
Bhutan	2 September 1990	1 September 1992		
Bolivia	2 September 1990	1 September 1992	14 September 1992	CRC/C/3/Add.2
Brazil	24 October 1990	23 October 1992		
Burkina Faso	30 September 1990	29 September 1992	7 July 1993	CRC/C/3/Add.19
Burundi	18 November 1990	17 November 1992		
Chad	1 November 1990	31 October 1992		
Chile	12 September 1990	11 September 1992	22 June 1993	CRC/C/3/Add.18
Costa Rica	20 September 1990	20 September 1992	28 October 1992	CRC/C/3/Add.8
Democratic People's Republic of Korea	21 October 1990	20 October 1992		
Ecuador	2 September 1990	1 September 1992		
Egypt	2 September 1990	1 September 1992	23 October 1992	CRC/C/3/Add.6
El Salvador	2 September 1990	1 September 1992	3 November 1992	CRC/C/3/Add.9
France	6 September 1990	5 September 1992	8 April 1993	CRC/C/3/Add.15
Gambia	7 September 1990	6 September 1992		

State party	Date of entry into force	Initial report: date due	Date of submission	Symbol
Ghana	2 September 1990	1 September 1992		
Grenada	5 December 1990	4 December 1992		
Guatemala	2 September 1990	1 September 1992		
Guinea	2 September 1990	1 September 1992		
Guinea-Bissau	19 September 1990	18 September 1992		
Holy See	2 September 1990	1 September 1992		
Honduras	9 September 1990	8 September 1992	11 May 1993	CRC/C/3/Add.17
Indonesia	5 October 1990	4 October 1992	17 November 1992	CRC/C/3/Add.10 and CRC/C/3/Add.26
Kenya	2 September 1990	1 September 1992		
Mali	20 October 1990	19 October 1992		
Malta	30 October 1990	29 October 1992		
Mauritius	2 September 1990	1 September 1992		
Mexico	21 October 1990	20 October 1992	15 December 1992	CRC/C/3/Add.11
Mongolia	2 September 1990	1 September 1992		
Namibia	30 October 1990	29 October 1992	21 December 1992	CRC/C/3/Add.12
Nepal	14 October 1990	13 October 1992		
Nicaragua	4 November 1990	3 November 1992	12 January 1994	CRC/C/3/Add.25
Niger	30 October 1990	29 October 1992		
Pakistan	12 December 1990	11 December 1992	25 January 1993	CRC/C/3/Add.13
Paraguay	25 October 1990	24 October 1992	30 August 1993	CRC/C/3/Add.22
Peru	4 October 1990	3 October 1992	28 October 1992	CRC/C/3/Add.7 and CRC/C/3/Add.24
Philippines	20 September 1990	19 September 1992	21 September 1993	CRC/C/3/Add.23
Portugal	21 October 1990	20 October 1992		

State party	Date of entry into force	Initial report: date due	Date of submission	Symbol
Romania	28 October 1990	27 October 1992	14 April 1993	CRC/C/3/Add.16
Russian Federation	15 September 1990	14 September 1992	16 October 1992	CRC/C/3/Add.5
Saint Kitts and Nevis	2 September 1990	1 September 1992		
Senegal	2 September 1990	1 September 1992		
Seychelles	7 October 1990	6 October 1992		
Sierra Leone	2 September 1990	1 September 1992		
Sudan	2 September 1990	1 September 1992	29 September 1992	CRC/C/3/Add.3 and CRC/C/3/Add.20
Sweden	2 September 1990	1 September 1992	7 September 1992	CRC/C/3/Add.1
Togo	2 September 1990	1 September 1992		
Uganda	16 September 1990	15 September 1992		
Uruguay	20 December 1990	19 December 1992		
Venezuela	13 October 1990	12 October 1992		
Viet Nam	2 September 1990	1 September 1992	30 September 1992	CRC/C/3/Add.4 and CRC/C/3/Add.21
Zaire	27 October 1990	26 October 1992		
Zimbabwe	11 October 1990	10 October 1992		

B. Initial reports due in 1993

State party	Date of entry into force	Initial report: date due	Date of submission	Symbol
Angola	4 January 1991	3 January 1993		
Argentina	3 January 1991	2 January 1993	17 March 1993	CRC/C/8/Add.2
Australia	16 January 1991	15 January 1993		
Bahamas	22 March 1991	21 March 1993		
Bulgaria	3 July 1991	2 July 1993		

State party	Date of entry into force	Initial report: date due	Date of submission	Symbol
Colombia	27 February 1991	26 February 1993	14 April 1993	CRC/C/8/Add.3
Côte d'Ivoire	6 March 1991	5 March 1993		
Croatia	7 November 1991	6 November 1993		
Cuba	20 September 1991	19 September 1993		
Cyprus	9 March 1991	8 March 1993		
Denmark	18 August 1991	17 August 1993	14 September 1993	CRC/C/8/Add.8
Djibouti	5 January 1991	4 January 1993		
Dominica	12 April 1991	11 April 1993		
Dominican Republic	11 July 1991	10 July 1993		
Estonia	20 November 1991	19 November 1993		
Ethiopia	13 June 1991	12 June 1993		
Finland	20 July 1991	19 July 1993		
Guyana	13 February 1991	12 February 1993		
Hungary	6 November 1991	5 November 1993		
Israel	2 November 1991	1 November 1993		
Italy	5 October 1991	4 October 1993		
Jamaica	13 June 1991	12 June 1993	25 January 1994	CRC/C/8/Add.12
Jordan	23 June 1991	22 June 1993	25 May 1993	CRC/C/8/Add.4
Kuwait	20 November 1991	19 November 1993		
Lao People's Democratic Republic	7 June 1991	6 June 1993		
Lebanon	13 June 1991	12 June 1993		
Madagascar	18 April 1991	17 May 1993	20 July 1993	CRC/C/8/Add.5
Malawi	1 February 1991	31 January 1993		
Maldives	13 March 1991	12 March 1993		

State party	Date of entry into force	Initial report: date due	Date of submission	Symbol
Mauritania	15 June 1991	14 June 1993		
Myanmar	14 August 1991	13 August 1993	21 September 1993	CRC/C/8/Add.9
Nigeria	19 May 1991	18 May 1993		
Norway	7 February 1991	6 February 1993	30 August 1993	CRC/C/8/Add.7
Panama	11 January 1991	10 January 1993		
Poland	7 July 1991	6 July 1993	11 January 1994	CRC/C/8/Add.11
Republic of Korea	20 December 1991	19 December 1993		
Rwanda	23 February 1991	22 February 1993	30 September 1992	CRC/C/8/Add.1
San Marino	25 December 1991	24 December 1993		
Sao Tome and Principe	13 June 1991	12 June 1993		
Spain	5 January 1991	4 January 1993	10 August 1993	CRC/C/8/Add.6
Sri Lanka	11 August 1991	10 August 1993		
The former Yugoslav Republic of Macedonia	17 September 1991	16 September 1993		
Ukraine	27 September 1991	26 September 1993	13 October 1993	CRC/C/8/Add.10
United Republic of Tanzania	10 July 1991	9 July 1993		
Yemen	31 May 1991	30 May 1993		
Yugoslavia	2 February 1991	1 February 1993		

C. Initial reports due in 1994

State party	Date of entry into force	Initial report: date due	Date of submission	Symbol
Albania	28 March 1992	27 March 1994		
Austria	5 September 1992	4 September 1994		

State party	Date of entry into force	Initial report: date due	Date of submission	Symbol
Azerbaijan	12 September 1992	11 September 1994		
Bahrain	14 March 1992	14 March 1994		
Belgium	15 January 1992	14 January 1994		
Bosnia and Herzegovina	6 March 1992	5 March 1994		
Cambodia	14 November 1992	15 November 1994		
Canada	12 January 1992	11 January 1994		
Cape Verde	4 July 1992	3 July 1994		
Central African Republic	23 May 1992	23 May 1994		
China	1 April 1992	31 March 1994		
Czech Republic	1 January 1993	31 December 1994		
Equatorial Guinea	15 July 1992	14 July 1994		
Germany	5 April 1992	4 May 1994		
Iceland	27 November 1992	26 November 1994		
Ireland	28 October 1992	27 October 1994		
Latvia	14 May 1992	13 May 1994		
Lesotho	9 April 1992	8 April 1994		
Lithuania	1 March 1992	28 February 1994		
Slovakia	1 January 1993	31 December 1994		
Slovenia	5 August 1992	5 August 1994		
Thailand	26 April 1992	25 April 1994		
Trinidad and Tobago	4 January 1992	3 January 1994		
Tunisia	29 February 1992	28 February 1994		

State party	Date of entry into force	Initial report: date due	Date of submission	Symbol
United Kingdom of Great Britain and Northern Ireland	15 January 1992	14 January 1994		
Zambia	5 January 1992	4 January 1994		

D. Initial reports due in 1995

Algeria	16 May 1993	15 May 1995		
Antigua and Barbuda	4 November 1993	3 November 1995		
Armenia	23 July 1993	5 August 1995		
Cameroon	10 February 1993	9 February 1995		
Comoros	22 July 1993	21 July 1995		
Congo	13 November 1993	12 November 1995		
Fiji	12 September 1993	11 September 1995		
Greece	10 June 1993	9 June 1995		
India	11 January 1993	10 January 1995		
Liberia	4 July 1993	3 July 1995		
Libyan Arab Jamahiriya	15 May 1993	14 May 1995		
Marshall Islands	3 November 1993	2 November 1995		
Micronesia (Federated States of)	4 June 1993	3 June 1995		
Monaco	21 July 1993	20 July 1995		
Morocco	21 July 1993	20 July 1995		
New Zealand	6 May 1993	5 May 1995		

State party	Date of entry into force	Initial report: date due	Date of submission	Symbol
Papua New Guinea	31 March 1993	31 March 1995		
Republic of Moldova	25 February 1993	24 February 1995		
Saint Lucia	16 July 1993	15 July 1995		
Saint Vincent and the Grenadines	25 November 1993	24 November 1995		
Suriname	31 March 1993	31 March 1995		
Syrian Arab Republic	14 August 1993	13 August 1995		
Tajikistan	25 November 1993	24 November 1995		
Turkmenistan	20 October 1993	19 October 1995		
Vanuatu	6 August 1993	5 August 1995		

ANNEX V*

Children in armed conflicts: recommendation to the General Assembly

1. In accordance with the provisions of article 45 (c) of the Convention, the Committee on the Rights of the Child may recommend that the General Assembly request the Secretary-General to undertake, on its behalf, studies on specific issues relating to the rights of the child.

2. At its second session held in September/October 1992, the Committee devoted one day to a general discussion on the topic "Children in armed conflicts". The main issues discussed included the relevance and adequacy of existing standards applicable in the framework of children in armed conflicts, the measures to ensure effective protection to children in situations of armed conflict and the promotion of physical and psychological recovery and social reintegration. The report of the Committee on its second session (CRC/C/10, paras. 61-77) and the summary records of its 38th and 39th meetings (CRC/C/SR.38 and 39) reflect the discussion of the issues at the Committee's second session. The Committee further discussed these problems at its third session (11-29 January 1993).

3. The Committee concluded that in order to focus greater attention on the serious problem of children in armed conflicts, a major United Nations study should be undertaken. It is clear that children suffer badly in current armed conflicts; humanitarian law standards are frequently violated or do not cover all relevant situations. Attempts to organize "corridors of peace" or "days of tranquillity" for the sake of humanitarian needs have not always been welcomed by the parties involved. There is therefore a need to review the international response to these urgent problems and discuss new approaches to their solution. Accordingly, the Committee recommends to the General Assembly, in accordance with article 45 (c) of the Convention, that it request the Secretary-General to undertake a study on ways and means of improving the protection of children from the adverse effects of armed conflicts. For this purpose, the Secretary-General might wish to invite the cooperation of relevant specialized agencies, other United Nations organs, non-governmental organizations and the International Committee of the Red Cross.

4. The Committee requests the Secretary-General to bring this recommendation to the attention of the General Assembly for consideration at its forty-eighth session.

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* See also CRC/C/16, annex VI.

ANNEX VI

Follow-up to the consideration of initial reports by States parties to the Convention on the Rights of the Child

State party	Initial report	Summary record of discussion (CRC/C/SR...)	Observations by the Committee (CRC/C/15/Add...)	Follow-up measures requested	Deadline	Additional information
Bolivia	CRC/C/3/Add.2	52-54 (fourth session)	1	Para. 13 - Delegation's commitment to send further information.		
Colombia	CRC/C/8/Add.3	113-115 (fifth session)	15 (preliminary)	Para. 1 - Written answers to list of issues and concerns expressed in paras. 10-16.	28 February 1994	
El Salvador	CRC/C/3/Add.9	85-87 (fourth session)	9	Para. 14 - Additional information on questions and concerns expressed. Submission of core document. Para. 15 - Information on implementation of legislation and impact of action planned.	December 1994	
Indonesia	CRC/C/3/Add.10	79-81 (fourth session)	7 (preliminary)	Para. 19 - Written information on questions and concerns expressed in paras. 7-18, with a view to CRC formulating its concluding observations by September/October 1994.	December 1993	CRC/C/3/Add.26
Peru	CRC/C/3/Add.7	82-84 (fourth session)	8	Para. 14 - Information on measures taken in response to concerns expressed and recommendations made in CRC's concluding observations.	Before the end of 1994	CRC/C/3/Add.24
Rwanda	CRC/C/8/Add.1	97-98 (fourth session)	12 (preliminary)	Paras. 2 and 5 - Submission of a new and more comprehensive initial report.	September/October 1994	

State party	Initial report	Summary record of discussion (CRC/C/SR...)	Observations by the Committee (CRC/C/15/Add...)	Follow-up measures requested	Deadline	Additional information
Sudan	CRC/C/3/Add.3	69-71 (third session); 89-90 (fourth session)	6 (preliminary) 10 (concluding)	CRC/C/15/Add.6: Para. 1 - Additional information on areas of concern identified by CRC. CRC/C/15/Add.10: Para. 27 - Willingness of the Government to keep CRC regularly informed of relevant developments.	15 May 1993	CRC/C/3/Add.20
Viet Nam	CRC/C/3/Add.4	59-61 (third session)	3	Para. 10 - Additional information on the administration of juvenile justice.	June 1993	CRC/C/3/Add.21

ANNEX VII

Areas identified by the Committee for technical advice and assistance and advisory services

State party	Initial report	Observations by the Committee (CRC/15/Add...)	Areas identified for technical assistance and advisory services
Belarus	CRC/C/3/Add.14	17	Para. 18 - Assistance from UNICEF, WHO, the Centre for Human Rights and other interested organizations, for, *inter alia*, harmonization of the legislation and measures with CRC, development of a coordinating body on children's rights, determining the targeting of programmes, the major thrust of policies and the mobilization of resources for the rights of the child. International assistance for measures to cope with the aftermath of Chernobyl nuclear disaster.
Colombia	CRC/C/8/Add.3	15	Para. 16 - Closer cooperation with relevant international agencies to assess the implementation of the Convention and narrow the gap between law and practice.
Indonesia	CRC/C/3/Add.10	7 (preliminary)	Para. 19 - Law reforms to ensure conformity with the Convention. Activities developed by the programme of advisory services and technical assistance of the Centre for Human Rights.
Namibia	CRC/C/3/Add.12	14	Para. 12 - Consideration to be given to the possibility of Namibia becoming a party to all major international human rights instruments (assistance from the Centre for Human Rights).
			Para. 20 - Administration of juvenile justice (continued cooperation with the Centre for Human Rights, the Crime Prevention and Criminal Justice Branch and UNICEF).
Peru	CRC/C/3/Add.7	8	Para. 19 - International assistance to address more effectively the challenge of improving the situation of children in especially difficult circumstances.
Romania	CRC/C/3/Add.16	16	Para. 23 - Continued cooperation with the Centre for Human Rights in the field of advisory services and technical assistance and support from the international community in the field of child rights.

State party	Initial report	Observations by the Committee (CRC/15/Add...)	Areas identified for technical assistance and advisory services
Russian Federation	CRC/C/3/Add.5	4	Para. 20 - International cooperation for support in the procurement and manufacture of vaccines.
Rwanda	CRC/C/8/Add.1	12 (preliminary)	Para. 3 - Technical advice and assistance for the preparation of the report (art. 45 (b) of the Convention).
Sudan	CRC/C/3/Add.3	10	Para. 20 - Continued cooperation with intergovernmental and non-governmental organizations to improve measures to alleviate the suffering of children.
Viet Nam	CRC/C/3/Add.4	3	Para. 8 - Administration of juvenile justice (training course to be organized by the Centre for Human Rights).

ANNEX VIII

Preliminary draft optional protocol on involvement of children in armed conflicts

The States Parties to the present Protocol,

Encouraged by the fact that an unprecedented number of States have to date become parties to the Convention on the Rights of the Child, thereby demonstrating the widespread commitment that exists to strive for the promotion and protection of the rights of the child,

Reaffirming that the rights of children require special protection and call for continuous improvement of the situation of children all over the world, as well as for their development and education in conditions of peace and security,

Considering that to further implement the rights recognized in the Convention on the Rights of the Child, there is a need to strengthen the protection of children involved in armed conflicts,

Believing that the involvement in hostilities of persons who have not attained the age of eighteen years is harmful for them physically and psychologically and affects the full implementation of the rights of the child, including the right to life,

Noting that article 1 of the Convention recognizes every human being below the age of eighteen years to be a child, unless under the law applicable to the child, majority is attained earlier,

Recognizing that article 38 of the Convention admits recruitment of persons into armed forces and their direct participation in hostilities after the attainment of the age of fifteen years,

Taking into account that many States Parties to the Convention have expressed their determination, including through unilateral declarations upon signature or ratification, not to recruit into their armed forces persons below the age of eighteen years,

Convinced that an optional protocol to the Convention, raising the age of possible recruitment of persons into armed forces [and their direct participation in hostilities] to eighteen years, will contribute effectively to the implementation of the principle that the best interests of the child are to be a primary consideration in all actions concerning children, while giving States Parties which find themselves in a position to do so the possibility to adhere to such a protocol,

Have agreed as follows:

Article 1

States Parties shall take all feasible measures to ensure that persons who have not attained the age of eighteen years do not take part in hostilities.

Article 2

States Parties shall refrain from recruiting any person who has not attained the age of eighteen years into their armed forces.

Article 3

Nothing in the present Protocol shall be construed so as to preclude provisions in the law of a State Party or in international instruments and international humanitarian law which are more conducive to the realization of the rights of the child.

Article 4

No reservation is admissible to the present Protocol.

Article 5

The States Parties to the present Protocol shall include in the reports they submit to the Committee on the Rights of the Child, in accordance with article 44 of the Convention, information on the measures that they have adopted to give effect to the present Protocol.

Article 6

The provisions of the present Protocol shall apply to the States Parties instead of article 38, paragraphs 2 and 3, of the Convention.

Article 7

1. The present Protocol is open for signature by any State which is a party to the Convention or has signed it.

2. The present Protocol is subject to ratification or open to accession by any State which has ratified or acceded to the Convention. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. The Secretary-General of the United Nations in his capacity as the depositary of the Convention and the Protocol shall inform all States Parties to the Convention and all States which have signed the Convention of the deposit of each instrument of ratification or accession to the Protocol.

Article 8

1. The present Protocol shall enter into force three months after the deposit of the tenth instrument of ratification or accession.

2. For each State ratifying the present Protocol or acceding to it after its entry into force, the present Protocol shall enter into force one month

after the date of the deposit of its own instrument of ratification or accession.

Article 9

Any State Party may denounce the present Protocol at any time by written notification to the Secretary-General of the United Nations, who shall thereafter inform the other States Parties to the Convention and all States which have signed the Convention. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General of the United Nations.

Article 10

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations together with the Convention on the Rights of the Child.

2. The Secretary-General of the United Nations shall transmit certified copies of this Protocol to all States Parties to the Convention and all States which have signed the Convention.